

Tennessee's

2004 – 2007

Statewide Strategy

for

***Drug Control, Violence Prevention and
Criminal Justice System Improvement***



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Edward Byrne Memorial Grant Program

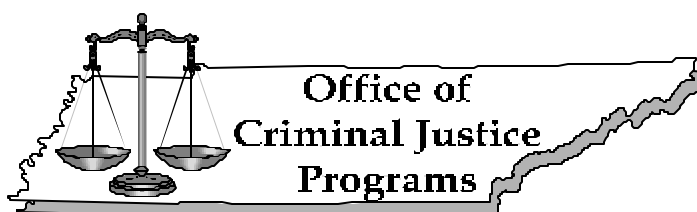


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Chapter

1 Executive Summary

The Office of Criminal Justice Programs (OCJP), which is located within the Tennessee Department of Finance and Administration, continues to serve as the State Administrative Agency for the Edward Byrne Memorial Grant Program in Tennessee. For nearly two decades the Byrne Program has provided a vehicle for seeding and pioneering new programs in Tennessee.

Tennessee's implementation of this program continues to evolve along with its criminal justice system. The Byrne Grant Program is helping OCJP to stimulate a multi-faceted response to crime and victimization in our state even as it supports our improvement of the infrastructure of the state's criminal justice system. With this Multi-Year Statewide Strategy, the State of Tennessee continues its commitment to reduce the incidence of drug violations and violent crime within the State's boundaries, in accordance with the National Drug Control Strategy's priorities.

Background: Tennessee's Criminal Justice System

The State of Tennessee is made up of 95 counties covering an area of 41,219 square miles of mountains, rolling hills, and flood plain. Our total population approached 5.7 million in 2000. A one percent per annum rate of growth in total population since 1990 has made Tennessee the 16th most populous state in the U. S. There are four metropolitan areas, but six other areas are rapidly growing. Five hundred miles of rural countryside in three distinct topographic regions are divided by six major interstate highway systems. Tennessee sits astride two of the major North-South and East-West interstate transport routes for criminal activity.

Tennessee's criminal justice system includes a range of city and county law enforcement agencies, a prosecution arm, a public defense system, the state judiciary, local and state corrections, and a range of for-profit and non-profit service providers. Eight departments of state government, as well as numerous other state entities, provide everything from direct service delivery for state prisoners in residential settings to support for state prosecutors and public defenders. While law enforcement in Tennessee's 95 counties remains mostly a responsibility of local government, Tennessee has an effective array of state public safety and law enforcement agencies, such as the Tennessee Bureau of Investigation. (Appendix A contains details.)

Problem Statement: Data on the Scope of Crime & Demographics

The scope of problems associated with drugs and violent crime, and our system's need for improvements, have changed very little since our 2000 multi-year Statewide Strategy. The state's major issues continue to be drug trafficking, court backlogs, victim rights protection, drug treatment availability and the need for criminal justice system automation and integration.

The current data portray no dramatic upswings in crime in Tennessee, but our crime problems still place the state solidly among states in the highest tier of overall index crimes through 2002. Slight increases in the rate of assault arrests are probably best explained by improved reporting and attention to domestic violence cases, rather than large increases in drug-related criminal activity. A continuation of this slight growth trend in assaults would be cause for us to re-visit Tennessee's priorities in future updates. For now, however, we find no compelling reason in the data to make significant shifts in Byrne funding priorities for this strategy period.

The data on violent and drug-related crime suggest that three trends are continuing in Tennessee. They correspond with the national strategy's priorities:

- Community crime rates and judicial workloads are being influenced by a long overdue increase in the system's attention to domestic violence cases. Tennessee's population is also changing, and related factors are influencing crime and delinquency (e.g., pockets of poverty and school dropout rates are corresponding with areas of drug-related crime). Tennessee is experiencing exponential growth in the numbers of non-English-speaking people, especially in the central parts of the state. That trend over-taxes the criminal justice system's ability to process arrests and adjudications. These are the kinds of issues that drive our need for community-based policing, school-based drug education services, victim advocacy, court diversion and court support alternatives.
- According to a 1994 BJS study, over 70% of offenders with a history of drug involvement are re-arrested within three years of their release from incarceration. Building coping skills during the incarceration period is our greatest opportunity for effective treatment, which reduces repeat episodes. However, state corrections data indicate that Tennessee's prison populations continue to grow at a steady pace. Residential drug treatment programs and Community-Based Offender Treatment Programs are needed, but so are drug courts and other diversion alternatives that have demonstrated their effectiveness.
- Tennessee's overall violent and drug-related crime rates per 100,000 place it in the top quintile of all states' rates, along with several other southeastern states. Overall serious crime appears to be increasing slightly, by roughly a percentage point per year since 1998. The rate of murder remains flat, and the rape rate is down again for the fourth straight year. Robbery is back to the 1998 rate after a two-year decline, but it is still 17% lower than the 1997 rate. Since a one-year decline of 6% in '98 the rate of aggravated assault has since grown at 2% a year, bringing it back to the levels of the late '90s. In the drug enforcement arena, methamphetamine continues to be a serious issue for Tennessee, which has the dubious honor of hosting *both* major trafficking routes *and* a significant production industry in the eastern part of the state. Tennessee is also at risk for the distribution of abused and diverted prescription drugs such as Oxycontin and Hydrocodone. These are the reasons Tennessee continues to need multi-jurisdictional drug enforcement and prosecution teams, continuing education, and criminal justice record systems automation and integration.

Resource Needs and Gaps

The Tennessee Office of Criminal Justice Programs (OCJP) manages a systematic, year-round cycle for tracking problems surfacing in the criminal justice system, monitoring trends in Tennessee's communities, assessing the condition of the state's resources, setting program priorities, making grant allocation decisions, managing those funded projects, measuring the performance of, and evaluating the results of those decisions. Our strategic program management process looks several years ahead of daily grants management activities at the changing needs of Tennessee's justice system. The process helps OCJP focus its future program descriptions, set its funding priorities, prepare its budget requests, and direct its limited resources into areas that promise the best return for the public's investment. (Appendix B contains details on our planning process.)

Tennessee's Areas of Greatest Need

For this planning period Tennessee OCJP relied less on the Uniform Crime Reports available from the FBI, and more on the Tennessee Bureau of Investigation's TIBRS database. OCJP also decided this year to extend its "radar screen" beyond tracking statewide crime and corrections data, to track the variables associated with changes in patterns of criminal behavior – such as population growth, median household income, local government spending, population growth among non-English-speakers, and Byrne-related program spending. We have converted these data into geo-maps and charts that display the patterns (see Chapter 2). Geo-mapping has made it much easier for us to relate patterns among different indicators (e.g., the correspondence between population growth and crimes against people). The data suggest the following eight areas of need:

Community-based crime prevention & education activities: Traditionally, Tennessee has been unable to invest much in prevention programs. Because of the demographic changes Tennessee is experiencing, resources are needed to prevent the use of illegal drugs by the state's children, including additional efforts to educate young people to the dangers of drugs and alcohol and about alternatives to violence. School-based programs can also offer children a safe and supportive environment that encourages them to reject illegal substances. Other needed approaches include empowering partnerships for community policing and crime prevention, such as Crime Watch programs.

Training in domestic & family violence intervention: Training needs to add quickly to Tennessee's knowledge base from the experiences of jurisdictions inside and outside of the state. Law enforcement agencies have needs for training in investigating and intervening in domestic violence cases. Increased emphasis on the enforcement of the state's Victim Rights Amendment has motivated local agencies to find training on sexual assault and family violence interventions. Prosecutors, too, need training in the unique dynamics of family violence cases. There is a clear need for training of victim advocates, whose support can enhance to overall performance of the system.

Comprehensive, coordinated support for victims and witnesses: Tennessee needs victim advocacy and witness-assistance coordinators to support and advise victims and to encourage witnesses throughout the stages of the criminal justice process. Serving as part of the prosecution team, victim assistance coordinators (VACs) improve on the collection of evidence

and information, and assist in negotiating pleas and verdicts by conducting victim impact statements. The need is for as many VAC positions as we can afford, in order to match the capacity better with the demand statewide.

A continuum of treatment for prisoners, jail inmates and those under community supervision of the courts: Increased law enforcement efforts, better adjudication processes and an increase in drug and violent crime sentences are causing Tennessee's felon population to continue to rise. Projections made back in 2000 anticipated a 25% increase in the number of state inmates housed in state prisons from 1998 to 2005. In fact, that total population growth had happened in Tennessee by June of 2003. The nature of violent offenders, gang offenders and drug offenders is also presenting unique problems to the Tennessee correctional system. We need programs to detect, counsel and monitor drug-abusing inmates and offenders in community corrections. Treatment projects are needed to address needs prohibited by statutory exclusions in the federal RSAT funds. These needs must be addressed by programs effective in enhancing the participant's cognitive, behavioral and vocational skills, and that emphasize community follow-up after release.

Coordinated multi-jurisdictional apprehension and prosecution of drug offenses & violent crimes: The possession, sale, and cultivation of illegal drugs have impacted communities in all areas of the state. The drug problem has exacerbated violent crime activity. Individual law enforcement agencies in Tennessee do not have the personnel or funding to combat the problem alone. As drug distribution activities spread over larger regions – ignoring the artificial boundaries of individual jurisdictions – law enforcement (and prosecutors) are forced to explore the need for task forces that can meld the talents of individual offices into an effective whole. There is also a need for specialized skills and expertise in rural settings where criminal enterprise takes place without regard to the size or experience of the office. Undercover work is more difficult, if not impossible, in smaller communities, where police officers are well known to the locals. For these and other reasons, the multi-jurisdictional drug and violent crime task forces fill the gaps between the traditional law enforcement organization and the need for responding to these new demands.

Tennessee continues to require the prosecutor-led multi-jurisdictional task forces. There is still a gap in the capacity of prosecutors in this non-traditional role. Ensuring successful prosecution of these cases in state courts discourages Tennessee from becoming a target of opportunity for expansion. For the short-term, the objective would be eliminating the “attractiveness” of a jurisdiction to criminals who think they will enjoy a “grace period” while local law enforcement and prosecutors “gear up” for action. It follows that we need specialized training for law enforcement professionals on a few key subjects, such as dealing with emerging issues of drug enforcement, implementation of sex offender statutes, and recent case law on searches and civil forfeitures. Other training should address meth lab seizure and cleanup, and in certain types of national security and terrorism issues. Rapidly changing conditions, turnover of trial lawyers, and the continuous need to update training curricula and materials are other gaps to be filled.

Offender diversion programs and other court delay education projects to enhance court performance: Recent improvements in law enforcement manpower, technology and professional practice have impacted the State's adjudication system adversely. Of major importance are diversion alternatives, such as drug courts, day treatment and transitional programs for offenders re-entering the community from correction settings, and a focus on reduction of recidivism in the justice system overall. We need to build on the base provided by the current

diversion programs, developing jurisdiction-specific approaches to the use of intermediate sanctions, largely in cases of standard offenders who face conviction on drug-related charges. These approaches need to use prosecutors and public defenders for initial screening. The need is for approaches that offer meaningful alternatives to incarceration, such as sentencing plans, third party supervision, employment and community work, education, drug treatment, mental health care, and restitution.

Specialized prosecution of drug, child abuse and domestic violence offenses There is also a need for specially trained drug prosecutors as well as domestic violence and child abuse prosecutors. Tennessee's court system could also benefit from improvements to infrastructure, which would provide a system, for example, that ensures translation services to all non-English speaking defendants and witnesses.

Improve criminal justice information sharing and integrated systems: Like many states Tennessee has been deficient in the area of consolidated, coordinated statewide programs to collect, manage and disseminate information relating to crime, criminals and criminal activity. The lack of accurate, reliable criminal history information that can be shared expeditiously among a variety of stakeholders in the criminal justice community has been a significant obstacle to the effective apprehension and prosecution of offenders. The primary needs in this area are the coordination and continued enhancement of our statewide criminal history records system. We need to implement the improvement plan and to maintain the momentum we have already begun. Another of Tennessee's greatest needs is in the area of automation for the court record system. New equipment and increases in personnel are essential for dealing with overcrowded courts.

Tennessee's Six Priorities for Drug Control, Violent Crime and Criminal Justice System Improvements

Tennessee's six priority areas follow. We address these six priorities areas in a sequence corresponding to the three National Strategies: Prevention (community-based services, victim advocacy), Treatment (offender rehabilitation), and Market Disruption (offender apprehension, court support, and criminal justice records improvement).

1. Stopping drug use before it starts: Education and Community Action

Priority: Community-Based Services: Consistent with National Drug Control Strategy I, OCJP intends to address prevention with programs that educate and encourage the State's youth to reject illegal drugs, tobacco, alcohol, and refrain from engaging in criminal activities. Moreover, efforts must be made to engage communities in actively ensuring the safety of their citizens. OCJP will continue a range of existing projects, such as partnerships for community policing and officer training in their roles in drug court diversion and "teen court" projects. Financial and administrative support for school-based resource officers will continue to fill part of the gap between what schools can do with the safe schools funds and unmet needs associated with drugs, alcohol, and violence, especially in rural and poor school districts. We will continue to focus fact-based drug and violence prevention programs on a range of intervention strategies. We will also assist local communities whose grant awards will pay for a portion of the twenty-five percent match required by the COPS grants. Local

communities will be encouraged to use these COPS Universal Hiring Grants to hire School Resource Officers.

Priority: Victim Advocacy and Witness Assistance: Victims and witnesses play a vital role in apprehension and prosecution of domestic violence offenders. Without full participation by victims and witnesses we can expect that family trauma and other social problems will contribute to increased rates of drug abuse and violent crime. Competent, trained victim/witness coordinators play a crucial role as part of a prosecution team, assisting in informing the victim about procedures, court dates, crisis intervention, support services, and appropriate referrals. Also, the victims' rights amendment to the Tennessee Constitution created a highly specialized prosecution system in the area of victim advocacy. In order to ensure victims' rights, training for both prosecutors and law enforcement must be upgraded. Training for prosecutors will focus on the unique dynamics of family/domestic violence cases, and for law enforcement personnel on the investigation of these cases. Given the caseloads and stresses on our court system, the system still needs the help victim-assistance coordinators can offer for providing crime victims with sufficient notices of all hearings, sufficient opportunities to "be heard," and treated with diligence and sensitivity. OCJP will continue to support the transition toward full implementation of the Victims' Bill of Rights by helping to close persistent gaps in resources within law enforcement and prosecution. Collaborative funding with the Victims of Crime Act (VOCA) grant and allocated state resources will be used to complement current program efforts.

II. Healing America's drug users: Offender Rehabilitation

A major priority for Tennessee, consistent with National Drug Control Strategy II, is the development and maintenance of a system of effective job, educational, rehabilitation, and substance abuse treatment services for criminal justice offenders. The priority is to establish a continuum of substance abuse treatment modalities for offenders through the solicitation of competitive proposals to augment existing Drug Court or RSAT-funded initiatives. The goal of substance abuse treatment in Tennessee will be to target those who would otherwise most likely be repeat offenders, reducing recidivism by changing dependency behavior.

Priority: Offender Rehabilitation: The priority is a continuum-of-care treatment approach for substance abuse offenders in the county and state correctional system. Services will not only stop the abuse of substances, but develop offenders' cognitive, behavioral, social, and vocational skills. Tennessee requires these programs to:

- ? Provide substance abuse treatment services that complement projects currently financed through the Residential Substance Abuse Treatment for State Prisoners (RSAT) Grant;
- ? Provide viable alternatives for offenders appearing before Tennessee's drug courts; or
- ? Provide alternative treatment, training and skills building in community corrections.

Aftercare components will focus not only on continued treatment, but also on ensuring successful re-integration into society – such as ongoing training in job interview and job search skills, assistance and support in locating viable employment options, housing assistance, assistance in pursuing additional vocational training, and improving familial relationships. OCJP will also be initiating new substance abuse treatment programs for female and juvenile offenders, and to establish mental health courts, drug courts, and dual diagnosis courts to augment existing programs funded through RSAT or Drug Court grants. The development of these new programs, the continuation of existing programs and training for their implementation should result in a reduction in the rates of drug use and criminal activity among the offender populations being served.

III. Disrupting the drug market: Offender Apprehension

Consistent with Strategy III of the national drug control policy OCJP has identified three priorities for disrupting the market: apprehension, court support and records improvement.

Priority: Apprehension: For this strategy period Tennessee's goal will be to enhance the ability of federal, state, and local criminal justice agencies to remove specifically targeted mid and upper-level narcotics trafficking through investigation, arrest, prosecution and conviction, using jointly controlled operations. To this end, OCJP will place a special emphasis on the continuing problem of methamphetamine production. The long-term goal is to reduce or eliminate the production and distribution of methamphetamine, and with it the violent crime that often accompanies it.

The link between good police investigations and high quality prosecutions requires us to continue the training to enhance the performance of multi-jurisdictional drug task forces. Drug distribution activities that cross boundaries force law enforcement and prosecutors to explore ways of melding the talents of individual offices into a new investigation and prosecution whole. Covert operations will target upper-level drug dealers and overt operations will intercept drugs while in transport. The Office of Criminal Justice Programs (OCJP) will continue funding for all 31 eligible apprehension projects during the upcoming fiscal year. Byrne funds issued for continuing the Multi-Jurisdictional Drug and Violent Crime Task Forces will support the location and eradication of illegal drugs. They will also support prosecuting those responsible for the manufacture, distribution and proliferation of illegal drugs.

Priority: Court Support: Increased reporting and investigation are overloading our court systems. The continuing demand is for programs that will:

- provide resources for public defenders and prosecutors to divert less serious offenders to intermediate sanctions; and
- improve the criminal justice system's response to child abuse, domestic violence and drugs/violent crime by funding early case preparation, vertical prosecution and specialized training for prosecutors, public defenders and the staffs of drug courts.

The priority is on pretrial service delivery projects designed to divert less serious offenders from full involvement in the criminal justice process. These approaches incorporate such elements as third-party supervision, employment, community service work, basic education, drug and/or alcohol abuse screening and treatment, mental health care, medical treatment and restitution payments. Mental health and drug courts will serve the needs of offenders with specific treatment needs. Other court support projects include specialized training initiatives for judges and court support staff, and support for specialized public defenders. Foreign language interpreters will support courts with non-English speaking clients. Early intervention with young people (e.g., "teen courts") is an innovation worth watching during this strategic period. Finally, Tennessee has a high priority for specialized prosecution positions and training for prosecutors' staffs. Specialized prosecutors and their staffs are effective at prosecuting defendants in child abuse, domestic violence cases or cases involving drug possession, distribution and cultivation. Vertical prosecution of child abuse, domestic violence and drug-related cases ensures strict, consistent prosecution, and improves conviction rates and sentencing.

Priority: Criminal Justice Records Improvement: Third among Tennessee's priorities for addressing national Strategy III is improving criminal justice records through the enhanced use of technology. We need to help agencies share criminal justice information through inte-

grated criminal justice systems. Prior to 1998 the state's capability to implement an efficient, cost-effective system of collecting and storing criminal justice information did not exist. But recent Criminal Justice Records Improvement Task Force multi-year plans have resulted in significant progress at reversing this historical condition.

Today the priority is on continuing the progress. The spectrum of uses of CHRI data continues to widen, thereby compounding the need to improve the quality of these records and to provide the training needed. Continuing the hard work of integrating Criminal Justice Information Systems (CJIS) remains part of OCJP's action agenda for this multi-year strategy. Our objectives include:

- ? the improvement of the quality of arrest, disposition, and general crime data information reported in the state repositories,
- ? increasing the quality of state criminal history records arrest and disposition information by enhancing the information reported to the state criminal history repository,
- ? the development of a statewide, automated, digitized booking system with all sheriff and police departments and the Tennessee Bureau of Investigation (TBI), and
- ? the establishment of a reporting system compatible with the TBI and FBI.

OCJP also hopes to enhance collaboration among agencies for funding criminal justice information systems technology in the city, county, district, and state levels. That will require the program to provide training for law enforcement personnel on compliance with TIBRS reporting requirements, to develop a system of quality control, to provide funds to local law enforcement for computers, software, and related technology, and central repository certification. Additional funds will be appropriated to local law enforcement agencies so that needed equipment may be purchased to ensure compliance with TIBRS reporting requirements and facilitate information sharing.

Tennessee's Eight Program Responses

Our planning process has led us to continue eight program responses and to eliminate two program responses from the 2000-2003 Multi-Year Statewide Strategy for the Byrne program in Tennessee. The table on the next page summarizes Tennessee's eight Program Responses and the number of projects within each. The table identifies the appropriate Byrne Priority and Purpose Areas. The reader should refer to Chapter 5 for details on the Program's description, its BJA approval date, its performance measures and evaluation information. A coordinated response to gang activity and prison/jail industries (our two smallest programs) are no longer priorities.

Summary of Byrne Program Responses with Numbers of Tennessee Projects

EIGHT (8) PROGRAM RESPONSES	# Projects	Byrne Purpose	National Priority
1. Multi-jurisdictional Drug & Violent Crime Task Forces	29	#2	III
2. Pre-trial Service Delivery	18	#10	III
3. Special Prosecution	7	#10	III
4. Correctional Treatment	14	#11	II
5. Domestic & Family Violence Training	2	#18	I
6. Victim Witness Program	2	#14	I
7. Community Crime Prevention	18	#4	I
8. Criminal Justice Information Systems	16	#15B	III

Tennessee's Statewide Multi-Year Strategy for 2004-2007 "holds the line" on our strategic priorities and our most successful programs because three years ago we placed into motion a strategy to address these issues at their sources. Community-based approaches and education are reducing demand. Court diversion and correctional treatment are helping the courts to cope. And rigorous multi-jurisdictional enforcement and prosecution continue to disrupt the drug market. All of these approaches are integrally related to the national strategy as well.

We anticipate creating no new programs during the strategy period – although we are monitoring a number of areas for changes that would require adjustments in future Strategy Updates.

Coordination Efforts

OCJP believes that state and local participation are the backbone of the strategy development process. This Strategy results from ongoing efforts to utilize the expertise of practitioners in all components of the criminal justice system at the local and state levels, because OCJP believes that the leaders of our local, county and state criminal justice agencies know more about the needs, directions, threats, opportunities, and weaknesses of these operations than anyone else.

OCJP's Strategic Planning Partners and Other Planning Partners

OCJP considers these organizations and the professionals they represent as its partners in planning. They include the Tennessee District Attorneys General Conference, the Tennessee Sheriff's Association, the Tennessee Association of Chiefs of Police, Tennessee Narcotics Officer's Association, the Administrative Office of the Court, the District Public Defenders Conference and others. At the state level our partners include the Tennessee Bureau of Investigation, the Alcoholic Beverage Commission, the state departments of Health, Correction, Children's Services, Mental Health and Mental Retardation, and the Board of Probation and Parole. All provide input directly to the Office of Criminal Justice Programs. (Appendix A elaborates on the composition of the justice system in Tennessee.)

To ensure a broad range of views and expertise are reflected in our work and the strategic plan, OCJP regularly organizes advisory and work groups, consisting of staff, criminal justice officials, researchers, and other experts. Several topic-specific advisory groups are sponsored by OCJP. These groups include the:

- ? VOCA (Victims of Crime Act) Resource Planning Group;
- ? Stop Violence Against Women Program Planning Group;
- ? Victim Services Outcome Measurement Partnership;
- ? Criminal Justice Records Improvement Task Force;
- ? Drug Court Advisory Committee; and the
- ? Drug Task Force Steering Committee.

Federal Participation in Strategy Development

Federal participation in state and local law enforcement no longer means merely supplying money and the policy attached to it. Federal participants have become significant suppliers of expertise to state and local governments. OCJP considers it both desirable and important

for all concerned to have federal participation in the strategy development process through the input of U.S. Attorneys or their designees. OCJP's Criminal Justice Executive Advisory Committee coordinates with the U.S. Attorneys for the western, middle, and eastern districts of Tennessee, especially when the strategy is being finalized. OCJP also makes a special effort to include appropriate representatives on a special topic work or advisory groups that may be of particular interest to United States Attorneys or where their expertise may be most in need.

Coordination among Federally - Funded Programs

OCJP's many federal programs place it in a good position to coordinate Byrne-funded programs with other federally funded programs in Tennessee, particularly those supporting state and local drug abuse treatment, education and prevention. This coordination extends to programs as diverse as the Local Law Enforcement Block Grants, the Stop Violence against Women Program, the Residential Substance Abuse Treatment Program for State Prisoners (RSAT) Grant, the Integrated Criminal Justice Systems grant and the Criminal History Records Improvement Program. In addition to our coordination of Department of Justice programs, we coordinate with state-supported programs such as the Safe Neighborhoods Program, the Sexual Assault Fund and the State Drug Court Treatment Program. Coordination also occurs with other agencies and their grant programs, including the Children's Justice Act and the Juvenile Justice Accountability Act. Tennessee's continued support for the National Drug Control Policy's priorities is accomplished in part because of the availability of a multi-faceted enforcement-treatment strategy supported under OCJP's umbrella.

Coordination with Other State Agencies and Funded Programs

The Office of Criminal Justice Programs also actively pursues a cooperative, collaborative relationship with the following departments of Tennessee state government which receive federal funds for drug education, treatment and prevention:

- ? Administrative Office of the Courts;
- ? Department of Health;
- ? Department of Mental Health and Mental Retardation;
- ? Department of Children's Services;
- ? Department of Education;
- ? Department of Human Services;
- ? Commission on Children and Youth;
- ? Tennessee Office of Homeland Security;
- ? Tennessee Department of Safety;
- ? Tennessee Department of Correction;
- ? Tennessee Bureau of Investigation;
- ? Tennessee District Attorneys General Conference; and the
- ? Tennessee Public Defender's Conference.

All of these departments and agencies are members of the statewide Executive Criminal Justice Advisory Committee. OCJP staff participates in kind with similar planning bodies sponsored by our partners. Information sharing, networking, joint planning and evaluation are some of the ways that agencies coordinate the federally funded program efforts. Concerted efforts are made each year to coordinate availability of grant moneys to local and state entities from these sources to reduce duplication and fragmentation.

Statewide Executive Criminal Justice Advisory Committee

The Office of Criminal Justice Programs utilized its statewide Executive Criminal Justice Advisory Committee to provide input for the Byrne Multi-Year Strategy development process. Representatives include members from those state departments who have the highest interface with the criminal justice system, as well as representatives from the broader professional criminal justice community. Those agencies and organizations that participate are explained in detail in Appendix A.

Note: Appendix A describes the criminal justice system in Tennessee. Appendix B explains the system Tennessee Office of Criminal Justice Programs uses for strategically planning and managing the state's criminal justice grants. Appendix C summarizes the evaluation strategy we have developed for managing these grants.

Chapter

2 Problem Statement: Data & Analysis

In this chapter the Office of Criminal Justice Programs (OCJP) provides a synopsis of the pertinent crime data and criminal justice system issues facing Tennessee. Whenever possible we display examples of the geo-mapped plots of those data, which OCJP uses to analyze distributions and trends among the issues. Most references are to the most recent information available from the Tennessee Incident-Based Reporting System (TIBRS) and OCJP's own environmental monitoring. But we have also attempted to place our analysis in the context of the national drug control strategy by citing pertinent data from federal sources, such as studies sponsored by ONDCP and the National Drug Intelligence Center.

As has been our policy at OCJP, we are careful *not* to allow macro-level data to drive the planning process *exclusively*; instead we “filter” the statewide incidence data through the experiences of our practitioner-partners, who contend with crime on a daily basis. Our strategy-development process uses that filtering to “feed” the problem identification stages of our planning. Therefore, this analysis includes observations made by local practitioners about the problems they face in the communities.

Introduction

The nature and scope of the problems associated with drugs and violent crime (as well as our system's need for improvements) have changed very little since OCJP reported them in its 2000 multi-year Statewide Strategy. Drug trafficking (especially of methamphetamine), court backlogs, victim rights protection, drug treatment availability and the need for criminal justice system automation and integration continue to be the state's major issues. The current data suggest no dramatic changes in crime trends in Tennessee, but our crime problems still place the state solidly among states at the highest tier of overall index crimes through 2002. Slight increases in the rate of assault arrests are probably best explained by improved reporting and attention to domestic violence cases, rather than large increases in drug-related criminal activity. Continuation of this slight growth trend would be cause for us to re-visit Tennessee's priorities in future updates to the multi-year Statewide Strategy. Meanwhile, we find no compelling reason in the data for us to make a significant shift in Byrne funding priorities for this strategy period.

The data on violent and drug-related crime suggest that three trends are continuing in Tennessee, listed here to correspond with the national strategy's priorities:

- Community crime rates and judicial workloads are being influenced by a long overdue increase in the system's attention to domestic violence cases. Tennessee's population is also changing, and that brings other socio-economic factors into play that influence crime and delinquency patterns. For example, pockets of poverty generally correspond with school dropout rates, and they with drug-related crime. We are experiencing exponential growth in the numbers of non-English-speaking people, especially in the central parts of the state. That is a trend that at a minimum over-taxes the criminal justice system's ability to process arrests and adjudications. These are the kinds of issues that drive our need

for community-based policing, school-based drug education services, victim advocacy, court diversion and court support alternatives.

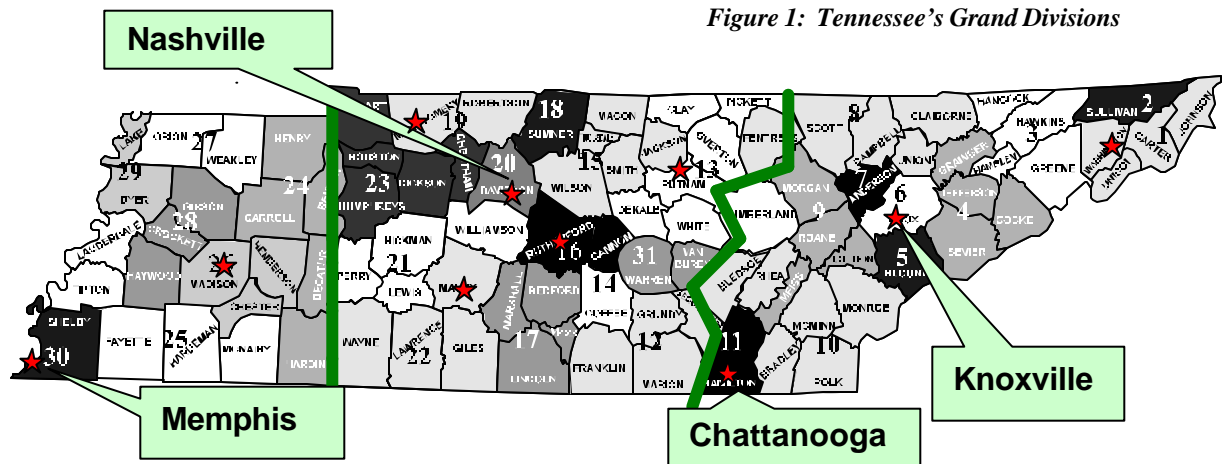
- According to a 1994 study funded by BJS, over 70% of offenders with a history of drug involvement are re-arrested within three years of their release from incarceration. Reducing repeat episodes will be our greatest opportunity for effective treatment. However, state corrections data indicate that Tennessee's prison populations continue to grow at a steady pace. Residential drug treatment programs and Community-Based Offender Treatment Programs are needed, but so are drug courts and other diversion alternatives – which have demonstrated their effectiveness in a number of independent studies.
- Tennessee's overall violent and drug-related crime rates per 100,000 (based on the FBI's 2002 UCR data) place it in the top quintile of all states' rates, along with several other southeastern states. Overall serious crime appears for the most part to be increasing slightly, by roughly a percentage point per year since 1998. The rate of murder remains flat, and the rape rate is down again for the fourth straight year. Robbery is back to the 1998 rate after a two-year decline, but it is still 17% lower than the 1997 rate per 100,000. Since a one-year decline of 6% in '98 the rate of aggravated assault has since grown at 2% a year, bringing it back to the levels of the late '90s. In the drug enforcement arena, methamphetamine continues to be a serious issue for Tennessee, which has the dubious honor of hosting *both* major trafficking routes *and* a significant production industry in the eastern part of the state. According to the DEA Tennessee also has the distinction of being a leading state for the distribution of abused and diverted prescription drugs such as Oxycontin and Hydrocodone. Diversion of both drugs has become an issue warranting close attention. These are the reasons Tennessee continues to need multi-jurisdictional drug enforcement and prosecution teams, continuing education, and criminal justice record systems automation and integration.

In the sections that follow we place the state's geographic and population demographics into perspective. Then we describe the societal indicators that tend to influence drug abuse and crime, and that demand prevention and diversion responses. After that we visit the data on correctional populations and the factors driving plans for treatment resources. Finally, we sum up the distribution of Group A crimes and drug incidence information we have used to make decisions on apprehension approaches.

Profile of the State of Tennessee

The State of Tennessee is made up of 95 counties covering an area of 41,219 square miles. Our total population approached 5.7 million in 2000. A one percent per annum rate of growth in total population since 1990 has made Tennessee the 16th most populous state in the U. S. There are three distinct geographical regions of the state, corresponding with the Districts of the U. S. Attorneys Offices (see Figure 1 below). Tennesseans refer to these as “grand divisions.” In the eastern “grand” the hilly and mountainous areas reach elevations of over 6,000 feet above sea level. The middle grand division is mostly gentle, rolling hills whose elevations range from 500 to 1,000 feet. The middle grand hosts the second largest concentration of population and the seat of state government in the region around Nashville. The Tennessee River separates the western grand from the middle grand division. The west, approximately 10,000 square miles of territory between the Tennessee and the Mississippi Rivers, is home to Tennessee's largest city, Memphis. North-

west Tennessee, the rest of the western grand division, is quite sparsely populated. Figure 1 also illustrates Tennessee's 31 judicial districts.



There are four major cities in Tennessee, but six other major areas are expanding in population at a rapid pace. The four major cities from west to east are Memphis, Nashville, Chattanooga and Knoxville. The six additional areas of expanding population are, from west to east Jackson, Clarksville, Columbia, Murfreesboro, Cookeville, and Johnson City.

Data on Tennessee's Population and Socio-Economic Conditions

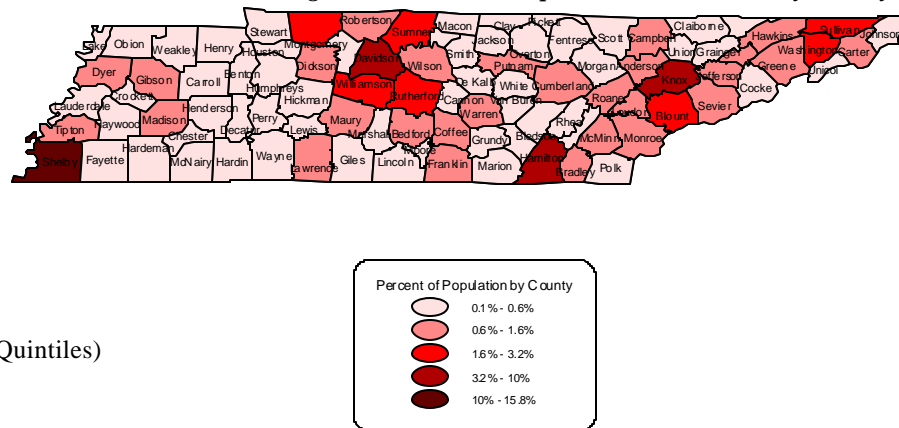
OCJP monitors the following sources of community and criminal justice system trends to be able to identify the “nature and extent of the problem in Tennessee”:

- U. S. Census data on population changes;
- Uniform Crime Reporting (UCR) Data on Violent Crime;
- Tennessee Incident Based Reporting System (TIBRS);
- Drug Production, Sales and Use Data (Bureau of Justice Statistics, National Drug Intelligence Center);
- Corrections Populations (Tennessee Department of Correction);
- Domestic Violence and Rape, Sexual Assault and Stalking Data (TIBRS); and
- Environmental “scans” of other criminal justice system issues derived from:
 - Routine contacts with other state agencies (e.g., Departments of Safety, Corrections, TN Bureau of Investigation, Board of Pardon and Parole) and the U. S. Attorneys and Law Enforcement Coordinating Councils;
 - Conferences, retreats, routine public gatherings and work groups for grant sub-recipients and leaders in the field (e.g., TN District Attorneys General Conference, the Sheriff’s Association, the Police Chief’s Association, the TN Narcotics Officers Association, the Administrative Office of the Court, the District Public Defenders Conference, the TN Drug Court Association, the TN Coalition against Domestic Violence and Sexual Assault); and
 - Regular meetings with advisory committees of system participants, such as the OCJP Criminal Justice Executive Advisory Committee and the Criminal Justice Records Improvement Task Force.

Population and Demographics

All but three Tennessee counties increased in size in the '90's, and the total population increased by 15%. But most of Tennessee's ninety-five counties remain rural; over half our residents live outside our four urban areas. Our rural counties share a number of socio-economic risk factors, such as geographic and social isolation, poverty, substance abuse and lack of formal education. Communication, transportation, and housing barriers all contribute to the social and psychological isolation. Our geo-map of Tennessee's population density, taken from 2000 Census data, appears in Figure 2 below. It is important to note that Tennessee is a transit area for drugs bound for other states, particularly cocaine, marijuana and methamphetamine. Six major Interstate Highways pass through rural and mountainous areas of Tennessee, connecting east and west coast markets, as well as connecting Miami and Atlanta with Chicago and Detroit.

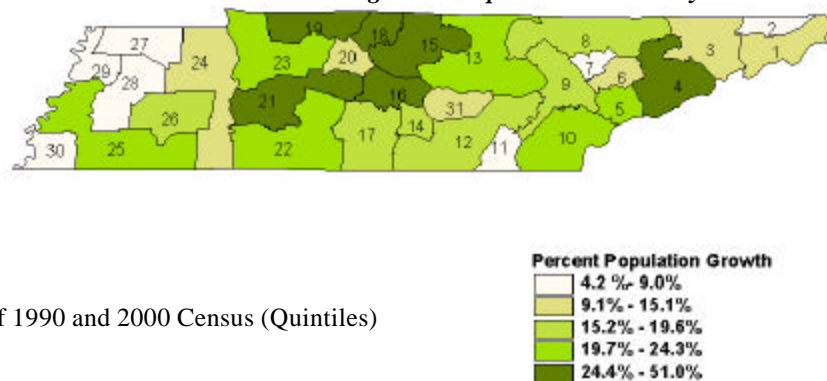
Figure 2. Tennessee Population Distribution by County



Data Source: 2000 Census (Quintiles)

As depicted in later maps, state crime rates are, expectedly, higher among the urban jurisdictions. See Figure 3 below. Growth in the suburban areas surrounding those population centers is expected to bring increases in crime with it.

Figure 3. Population Growth by Judicial District

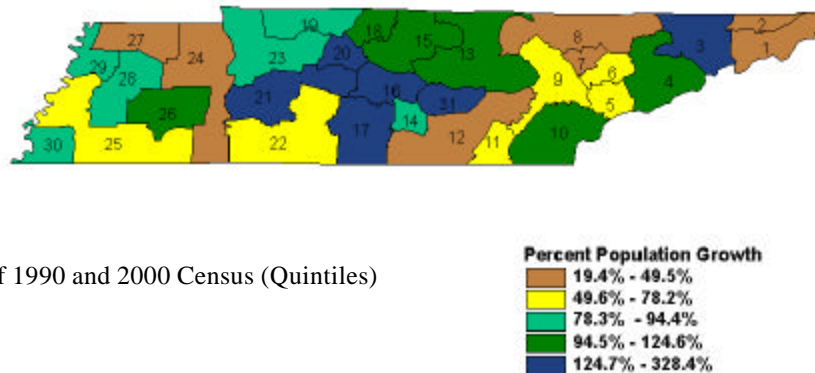


Data Source: Comparisons of 1990 and 2000 Census (Quintiles)

OCJP will be monitoring this trend for the upcoming planning period. For example, the population of Cheatham County, west of Nashville, is growing faster than that of the surrounding rural counties. Thus, the 23rd judicial district merits continued attention over the next four years, along with the 4th and those surrounding Nashville in the 20th judicial district. OCJP finds that much of the expansion in rural areas is due to growth in small industries (e.g., 22nd and 31st). There is a corresponding influx of non-English-speaking residents,

who are moving in to assume the lower-paying jobs that accompany these industries. While we do not see an effect on drug-related crime rates in these areas at this time, we do anticipate greater law enforcement contact, and that would have a detrimental effect on the loads faced by the court system in these areas. Most of the growth among non-English-speakers is represented by Spanish-speaking people, although Nashville is experiencing an influx of Slavic and Asian language groups. The greatest issue raised is on the need for non-English-speaking court recorders, advocates and interpreters. (See Figure 4 below.)

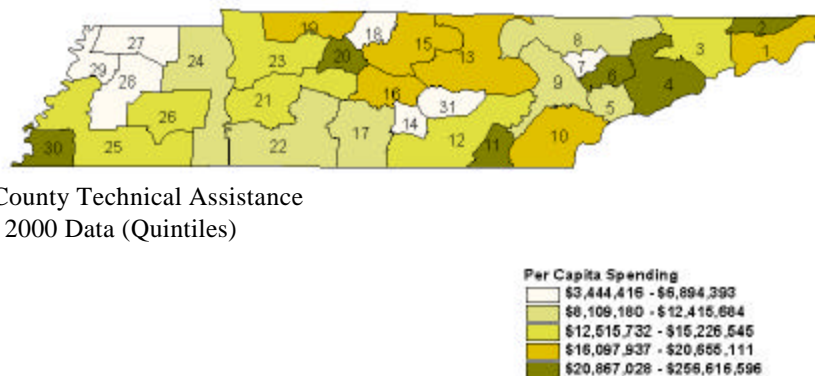
Figure 4. Population Growth among non-English-speakers



Data Source: Comparisons of 1990 and 2000 Census (Quintiles)

OCJP also tracks county spending levels for justice and public safety, for comparison with crime and other data as an indicator of unmet need. Our greatest concerns lie where local government spending is lowest in jurisdictions experiencing the highest rates of population change, poverty and Group A crimes. The urban judicial districts (4, 6, 11, 20-21 and 30) are where the highest per capita spending appears to be, with two notable exceptions (3 and 26). Still, we have focused our attention for the upcoming Strategy period on districts 7, 31, 14, 17 and 29 – which are among the lowest-spending jurisdictions, in spite of data that have shown these areas to be higher in crime or population growth than their median income or total populations would suggest. See Figure 5.

Figure 5. Per Capita Local Government Spending on Justice & Public Safety



Source: State of Tennessee County Technical Assistance Service (CTAS) FY 2000 Data (Quintiles)

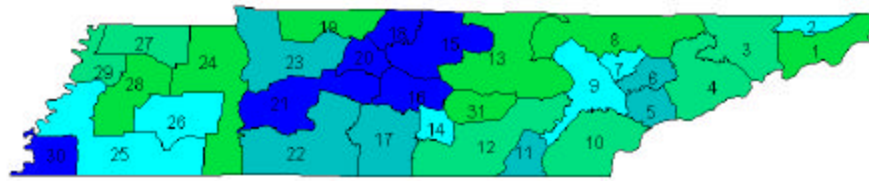
Patterns in Key Socio-Economic Data

The National Drug Control Strategy makes community-based prevention and education a priority. Since poverty, school dropout rates, and related patterns tend to be associated with violent and drug-related crime, Tennessee OCJP uses socio-economic data to lend further clarity to the crime incidence or prevalence data we provide later in this Statewide Strategy. These patterns influence OCJP decisions about allocating funds to crime prevention, com-

munity law enforcement, drug courts and correctional treatment, prosecution and court support.

Because impoverished areas are often plagued by higher rates of crime OCJP monitors trends in median household income. As shown in Figure 6 below 40% of our counties have a median income below \$33,529, and 60% are below \$35,882 for a family of four. Of course, some forms of crime do not correlate with poverty, but drug abuse and trafficking often do. Low median household income in the Cumberland plateau counties (judicial districts 8, 13 and 31) and elsewhere in the eastern half of Tennessee match what we know about the problem with methamphetamine and the cultivation of marijuana in this area. In fact, the Appalachian HIDTA is a hotbed of methamphetamine production according to Tennessee's drug task forces.

Figure 6. Median Household Income

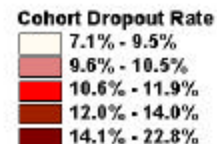
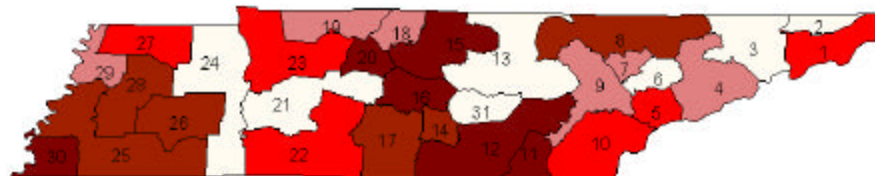


Data Source: Comparisons of 1990 and 2000 Census (Quintiles)



Traditionally, areas experiencing high rates of school drop-out are linked also to areas experiencing high rates of delinquency and drug use, both of which contribute to violent and drug-related crime. Figure 7 illustrates that this holds true in the urban areas and surrounding counties. The pattern does not necessarily hold up in the rural and semi-rural areas, where dropout rates are generally low even in districts experiencing Group A crimes that are high per capita. See Figure 7, below.

Figure 7. Cohort Dropout Rate



Data Source: Tennessee Commission on Children and Youth, Kids Count Data. Number includes cumulative dropouts divided by cumulative 9th grade net enrollment for class of 2001. Rate is per 100. (Quintiles)

Nature and Extent of Violence and Drug Crime in Tennessee

Uniform Crime Reporting Data on Tennessee Index Crimes

The Tennessee Incident-Based Reporting System (TIBRS) was certified by the federal Bureau of Justice Statistics in 1998. As of December 2002 Tennessee was one of only seven states reporting 100% of its crime statistics to NIBRS (according to “level of participation statistics” on the BJS web site). Tennessee is also the only state besides Idaho that makes UCR reporting *optional* for local law enforcement agencies. This makes interpreting the UCR trends data a tenuous prospect for OCJP. Later in this Strategy we use TIBRS data on Group A crimes, even though the lack of a history of TIBRS reporting is still a year away from supporting trends analysis. Just to be thorough, OCJP analyzed the UCR data for Tennessee from 1998 through 2001. That analysis revealed the following trends, which are entirely consistent with our understanding of the situation in Tennessee. We caution against attributing more than anecdotal meaning to these data, considering the possibility that they reflect under-reporting by Tennessee law enforcement agencies:

- ***Overall violent crime:*** The rate of overall index crimes is up 5% since 1998, mostly on the strength of a rising assault rate per 100,000 population.
- ***Murder rate:*** Rate per 100,000 is flat since a five-year steady decline ended in 1999.
- ***Rape rate:*** The data reveal that a steady decline continues its fourth year in a row. Rape is overall down a third since 1997.
- ***Robbery rate:*** The rate is back to the 1998 rate after a two-year decline, but it is still 17% lower than the 1997 rate per 100,000.
- ***Assault rate:*** After a one-year decline of 6% in '98 the rate has grown at 2% a year. 2001 reflected the highest rate ever, on the strength of a one-year increase of 5%.

Domestic Violence, Sexual Assault and Stalking Victimization Data

Because the national strategy makes crime prevention and education a priority, OCJP monitors the incidence of various victimizations in Tennessee. Having only two years of reliable data from TIBRS limits a trend analysis for the range of domestic violence, homicide and assault, sexual offenses, stalking, kidnapping and abduction. However, the baseline data are now in place for future trends analyses.

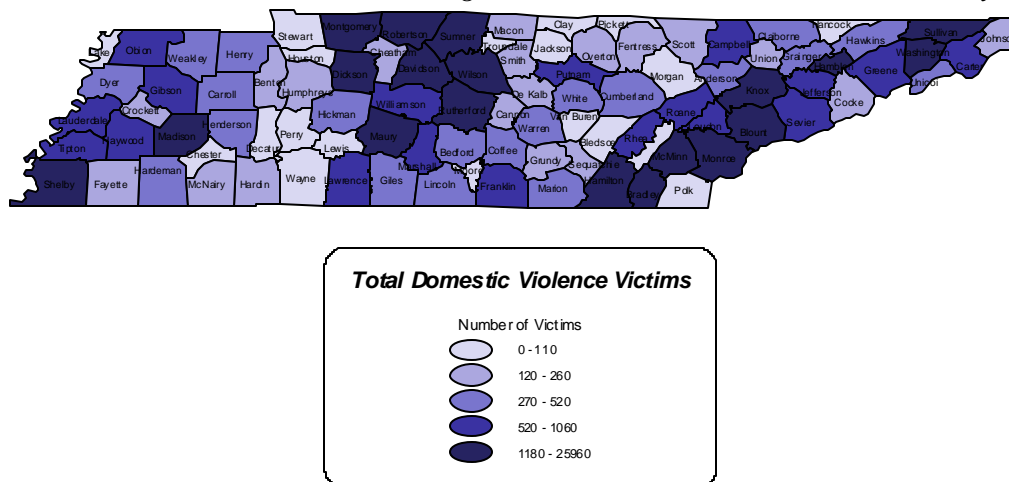
Overall Domestic Violence Impacts: Domestic violence projects annually provide services to over 60,000 women and children who are victims of abuse. Police investigations of domestic violence incidents in Tennessee are continuing to increase. To illustrate, according to TIBRS, a total of 4,234 arrests were made in Tennessee for Forcible Sex Offenses in the three years from 1996 to 1998. In a single recent year, 2001, there were 2,423 victims of sexual offenses. A total of over 251,000 victims were reported for all domestic violence crimes covered in the 2001 TIBRS database.

Figure 8. Year 2001 State Victim Totals

<i>Murder Manslaughter & Assault 106,391</i>	<i>Intimidation & Stalking 16,537</i>	<i>Sexual Offenses 2,423</i>	<i>Kidnapping & Abduction 953</i>	<i>TOTAL # DV VICTIMS 251,113</i>
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The geo-map of Tennessee's violence statistics appears in Figure 9 below. We use data such as those depicted in this map with population statistics and STOP grant distribution to analyze how gaps in services have created patterns of under-served populations in Tennessee. The demand for victim advocates clusters in the urban centers, a number of counties with low population show relatively high numbers of domestic violence victims.

Figure 9. Tennessee Domestic Violence Victims by County



Source:
2001 Tennessee Incident Based Reporting System

Drug Treatment Issues

Drug arrests and convictions raise the demand for sanctions, which places extreme pressure on the capacity of state prisons and jails. The excess spills over into community sentencing of probation and parole. The logjam can either be broken by building more facilities or by finding credible intermediate sanctions and treatment for offenders that pose lower threats to society. Because the national strategy makes drug treatment a priority, and because diversion makes sense in Tennessee, OCJP monitors the population growth in Tennessee prisons and the need for the drug courts and residential treatment.

Prison population projections from Tennessee's Department of Correction¹ have been growing at a relatively constant rate of one or two percent a year. Since 1998, when the total incarcerated population was 22,000, the population had grown to 24,235 in 2002 (9%). Tennessee has five residential drug treatment programs, which serve seven different facilities. Of these programs there have been approximately eight hundred seventy seven (877) successful completions since the project's inception in 1997. During the 2003 federal fiscal year the programs reported two hundred forty seven (247) successful completions. Tennessee's RSAT programs have an average 80% recidivism rate for those offenders released into the community; only about 20% of successful completers are rearrested within three years of release. The three-year recidivism rate for all felons released from the Tennessee Department of Correction is currently 45%. Whether we compare the effectiveness of Tennessee's residential programs with general state correction rates or with the study Hughes and Wilson conducted for BJS in 1994 (i.e., that the rate is closer to 70%), OCJP's conclusion is that support for residential drug treatment continues to be needed in Tennessee.

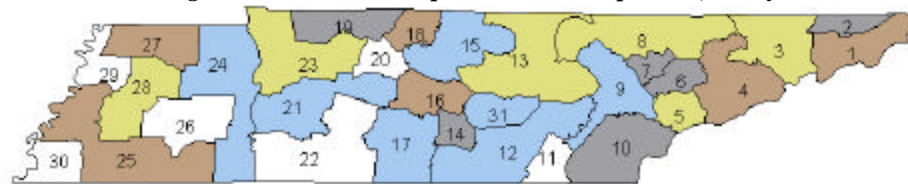
¹ *Annual Report*. Tennessee Department of Correction. February 3, 2003, Compiled by TDOC Division of Planning and Research; Gabrielle Chapman, Director, Sara J. Conte, Analyst.

Market Disruption and Criminal Apprehension Issues

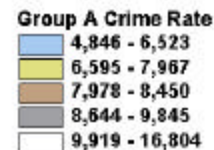
TIBRS Data on Tennessee's Group A Crime Rate: Figure 10 below depicts the distribution of TIBRS Group A crimes² by Judicial District. Generally speaking, it shows the highest incidence of Group A crimes in the urban districts. Caution must be used because this is but a two-year snapshot from a new crime reporting system. For this reason, OCJP believes that a longer-term look at this information is needed before we draw major conclusions from these TIBRS crime rates. Without a historical set of data points in TIBRS we cannot yet analyze trends, for example, and comparing TIBRS data with UCR data has even greater limitations. We have to start somewhere, and 2002 is the place to begin. For now we are able to compare crime incidence with the other data we have, and identify a few jurisdictions to attend to now. We intend to monitor trends in these distributions for future planning cycles.

Predictably, Districts 20 (Nashville) and 30 (Memphis) actually showed the highest rates per capita of all districts when we examined the data more closely. Hamilton County (district 11) and Madison County (district 26) are among the top quintile districts, but they, too are to be expected because of their population density. But the high rates in two rural districts, 22 (Lawrence and surrounding counties) and 29 (in the extreme northwest), are worthy of note. At the next level, districts 2, 6 and 7 make sense because they are other urban areas. But the high crime rates in districts 10, 14 and 19 can only be explained by proximity to urban centers, drug traffic routes, and concentrations of meth lab arrests.

Figure 10 . TIBRS Group A Crime Rates per 100,000 by Judicial District



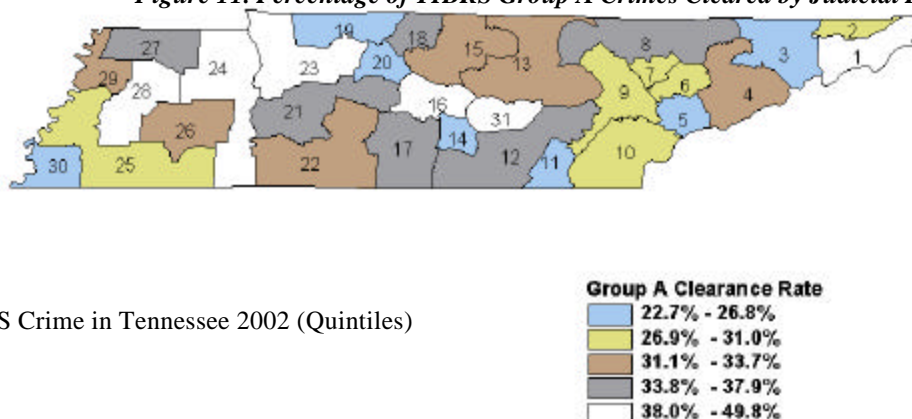
Data Source: TIBRS Crime in Tennessee 2002 (Quintiles)



The map in Figure 11 on the next page plots the percentage of crimes cleared, which we use to gain insight into best practices and model programs. For example, the 16th Judicial District has a high crime rate, but also a high clearance rate.

² Murder, negligent manslaughter, kidnapping/abduction, forcible rape, forcible sodomy, sexual assault with object, forcible fondling, incest, statutory rape, aggravated assault, simple assault, intimidation and stalking.

Figure 11. Percentage of TIBRS Group A Crimes Cleared by Judicial District



Data Source: TIBRS Crime in Tennessee 2002 (Quintiles)

Number of overall drug arrests: According to *Crime in Tennessee*, the TBI's annual summary of TIBRS arrest data, the number of statewide arrests for drug/narcotic violations was 24,980 adults in 2001 and 25,681 adults in 2002 (an *increase* of 3%). Statewide there were 2,912 juvenile drug arrests in 2001 and 2,687 arrests in 2002 (a *decrease* of 8%). Similarly, there was a 14% increase in adult arrests for drug equipment violations and a 14% decrease in juvenile paraphernalia arrests.

Locations of methamphetamine arrests: OCJP records indicate that the highest numbers of methamphetamine arrests were conducted by the multi-jurisdictional task forces in Judicial Districts 12, 13, 14, 15 and 31 – the Cumberland plateau between Nashville and the mountains of eastern Tennessee. Judicial Districts 13 and 15 are also the locations of marijuana arrests, as are the 8th, 9th and 3rd, which are located in the Appalachian HIDTA along the Kentucky border.

NDIC's Tennessee Drug Threat Assessment: According to the National Drug Intelligence Center methamphetamine is the third greatest drug threat to Tennessee.

“Seizure data reflect the ready availability of methamphetamine in Tennessee, although the quantities seized by federal and state law enforcement agencies varied over the past two years. According to FDSS data, federal law enforcement officials in Tennessee seized 26.9 kilograms of methamphetamine in 1999 and 66.9 kilograms in 2000. The Tennessee Bureau of Investigation seized 22.5 kilograms of methamphetamine in 1999 and 7.8 kilograms in 2000. Law enforcement officials seized 3.0 kilograms of methamphetamine in 1999 and 6.5 kilograms in 2000 under Operation Jetway, and 31.1 kilograms of methamphetamine in 1999 and 2.4 kilograms in 2000 under Operation Pipeline.”³

Methamphetamine production, distribution, and abuse frequently are associated with violent crime in Tennessee. Producers are known to booby-trap laboratories with dynamite. Street gangs commonly distribute methamphetamine, among other drugs, and also have committed crimes such as assault and black market weapons distribution. Chronic methamphetamine abusers often display paranoia, experience hallucinations or mood disturbances, and are prone to violence.

³ *Tennessee Drug Threat Assessment*: National Drug Intelligence Center. May 2002.

Tennessee also has a large number of independent methamphetamine producers. Law enforcement officials seized an increasing number of laboratories from 1999 through 2001. DEA seized 122 meth labs 1999 and 631 laboratories in 2001. The Tennessee Bureau of Investigation seized 78 methamphetamine laboratories in 1999 and 85 in 2000.

Local law enforcement officials have noted recently that they are increasingly concerned with the serious safety and environmental hazards raised by methamphetamine production. The chemicals used in production usually contain a variety of highly flammable toxic chemicals and vapors. Toxic waste contaminates the soil, kills vegetation, and poisons water supplies. Investigators as well as the public are endangered by enforcement actions.

ONDCP's Drug Policy Information Clearinghouse has also noted in its newsletter, *Pulse Check: Trends in Drug Abuse* (ONDCP) that methamphetamine's increased availability in Memphis makes methamphetamine the number one drug enforcement priority in TN.

Prescription Drug Abuse and Diversion: Working with the Tennessee Board of Pharmacy, a coalition of health care, insurance and law enforcement entities have developed a grant application for a Prescription Monitoring Program (PMP) similar to Kentucky's. The PMP proposal cites a Blue Cross/Blue Shield of Tennessee study indicating that Tennessee has the distinction of having the highest per capita rate of prescriptions in the country. Illegally diverted prescription drugs are becoming a serious issue according to OCJP's law enforcement partners in the criminal justice agencies statewide. In fact, the Drug Enforcement Administration reported that for the first half of 2003 Tennessee was ranked among the top ten of states for per capita distribution of a dozen of the most abused and diverted prescription drugs. Tennessee law enforcement officials specifically mention two prescription drugs: Oxycontin and Hydrocodone. The Tennessee Bureau of Investigation's crime laboratories reportedly received 1874 exhibits related to Oxycontin or Hydrocodone, an increase of over 200% in one year. The offense extends to doctor shopping, use of altered, forged or fraudulently obtained prescriptions, drug store robberies and burglaries, inappropriate or illegal prescription and/or dispensing all contribute to abuse and diversion of prescription drugs. Fraud against private insurance companies and the Medicaid (TennCare) program is often directly related to abuse and diversion.

Conclusions: Problems and Needs

The data on violent and drug-related crime suggest that three trends are continuing in Tennessee, corresponding with the national strategy's priorities:

- Community crime rates and judicial workloads are being influenced by a long overdue increase in the system's attention to domestic violence cases. Tennessee's population is also changing, and that brings other socio-economic factors into play that influence crime and delinquency patterns. We are experiencing exponential growth in the numbers of non-English-speaking people, and that is over-taxing the criminal justice system. These issues are driving a need for community-based policing, school-based drug education services, victim advocacy, court diversion and court support alternatives.
- Enforcement places huge burdens on the courts' caseloads, demanding diversion alternatives. Prison populations are also steadily growing, threatening to undermine the credibility of the sanctioning system. Reducing recidivism among drug offenders will be our greatest opportunity for effective treatment. Residential drug treatment

programs are needed, but so are drug courts and other diversion alternatives – which have demonstrated their effectiveness in a number of independent studies.

- Tennessee's high overall index crime rates per 100,000 (based on the FBI's 2002 UCR data) place it in the topmost tier of states. Overall index crimes appear to be increasing slightly, despite a steady murder rate and a decline in the rape rate again for the fourth straight year. The rate of aggravated assault has since grown again, bringing it back to the levels of the late '90s. In the drug enforcement arena, methamphetamine continues to be a serious issue for Tennessee, which has the dubious honor of hosting *both* major trafficking routes *and* a significant production industry in the eastern part of the state. According to the DEA Tennessee also has the distinction of being a leader in abused and diverted prescription drugs such as Oxycontin and Hydrocodone. These are the reasons Tennessee continues to need multi-jurisdictional drug enforcement and prosecution teams, and continuing emphasis on criminal justice record systems automation and integration.

Chapter

3 Resource Needs and Gaps

Our analysis of the data presented in Chapter 2 has led Tennessee's Office of Criminal Justice Programs to persist in its attack on major problems facing Tennessee's criminal justice system. Even though the index crimes against people in Tennessee have remained relatively stable in recent years, we continue to face challenges in the form of a changing population and societal issues that influence crime rates. Even our successes in dealing with drugs and drug-related crime create challenges by threatening to overwhelm our courts and prisons. Tennessee's Statewide Multi-Year Strategy for 2004-2007 "holds the line" on our strategic priorities because three years ago we set in motion a strategy to address these issues at their sources. Community-based approaches and education are reducing demand. Court diversion and correctional treatment are helping the courts to cope. And rigorous multi-jurisdictional enforcement and prosecution continue to disrupt the drug market. All of these approaches are integrally related to the national strategy as well. For the new planning period we no longer see a priority need for a few projects for gang intervention or prison industries. Nor do we see a need to initiate new programs this year. We anticipate creating no new programs during the strategy period – although we are monitoring a number of areas for changes that would require adjustments in future Strategy Updates.

Introduction

This chapter analyzes the data presented in Chapter 2 and draws conclusions that clarify the criminal justice needs Tennessee will be facing over the upcoming four years. We also describe the resources used to meet the state's criminal justice needs and identify the gaps that need to be filled with the Byrne Memorial Grant. The program priorities generated by this analysis appear in Chapter 4, Priorities and the National Strategy. The reader will find a complete list of the agencies that participate with OCJP in developing our understanding of Tennessee's criminal justice problems and needs in Appendix A.

Assumptions: The Tennessee Office of Criminal Justice Programs (OCJP) manages a systematic, year-round cycle for tracking problems surfacing in the criminal justice system, monitoring trends in Tennessee's communities, assessing the condition of the state's resources, setting program priorities, making grant allocation decisions, managing those funded projects, measuring the performance of, and evaluating the results of those decisions. At OCJP *strategic program management* is a structured process that looks three to five years ahead of daily grants management activities at the changing needs of Tennessee's justice system. All this information helps OCJP focus its future program descriptions, set its funding priorities, prepare its budget requests, and direct its limited resources into areas that promise the best return for the public's investment. (See Appendix B for details.)

Tennessee OCJP's philosophical position on the task of analyzing needs is as follows:

- Socio-economic data, such as population density and growth, changes in the numbers of people experiencing language barriers, family income levels, rates of school dropouts and domestic violence serve as indicators to help us anticipate trends in the rates of serious

crime. The TBI's arrest data on Group A crimes against people are different. They reflect local government's willingness to spend local and state resources on the enforcement and prosecution of serious crime. Crime in Tennessee is enforced and prosecuted by local, regional and state agencies using state and local resources.

- The state cannot, and should not, attempt to fund core law enforcement through specialized grant programs such as the Byrne grant. Instead, OCJP uses Byrne grants to “seed” local law enforcement in *all* areas of the state to meet the unmet needs of the system. These investments stimulate practices not typically funded by local resources, such as collaborative inter-jurisdictional drug enforcement efforts, or in an innovative new arena, such as specialized prosecutors, court diversion and drug treatment projects. We do this *not* to provide local law enforcement where arrests are already being made, but to ensure those areas develop experience with innovative law enforcement coverage. Grants are made strategically to demonstrate to local decision makers the need for greater local attention to enforcement.
- It follows then that high incidences of poverty, domestic violence and dropping out of school would suggest the need for local law enforcement's attention. When there is little or no funding in these areas of the state for community-based prevention, training for enforcement of domestic violence statutes, treatment or diversion problems will not be reflected in the arrests data. These are the targets of OCJP's efforts to find specialized grant resources, first to “plug a hole” in the gap of current enforcement efforts, and for the longer term to provide demonstrations of what works so that local government will be motivated to build accountable local responses to these issues. Domestic violence enforcement and victim-witness support are good illustrations of how we put this assumption into practice.

Analysis of Problem Data

Criminal justice planners typically monitor crime trends data to remain aware of the problems facing the criminal justice system. For this planning period OCJP relied less on the Uniform Crime Reports available from the FBI, and more on the Tennessee Bureau of Investigation's TIBRS database. In addition, in order to learn from the variables that may presage changes in patterns of criminal behavior, TN OCJP decided this year to extend its “radar screen” beyond tracking statewide crime and corrections data. For this strategy period OCJP has been monitoring a number of socio-economic indicators – like population growth, median household income, local government spending, population growth among non-English-speakers, and Byrne-related program spending. We have converted these data into geo-maps and charts for displaying the patterns. The maps, as shown in Chapter 2, make it much easier to relate patterns among different indicators (e.g., the correspondence between population growth and crimes against people).

A word about the geo-mapped data in Chapter 2: Analyzing these patterns has helped OCJP focus its limited resources in the areas where funding has been most needed. Geo-mapping has also helped us to identify where funding might be focused over the coming four years and beyond, by locating jurisdictions on the “front edge” of a trend. OCJP has always made assumptions about Tennessee's problems and needs, based on state-level crime data and re-

financed by our partners who are practicing in the field. Now we have a rich new source of specific planning data, represented by the maps in the geo-mapping set. A caution is warranted: No set of maps can capture ALL of the assumptions underlying planning decisions. For example, we now have data on dropout rates, but we have insufficient data on crime in schools. Similarly, we have only informal cross-tabulations of population growth, family income and crime. Therefore, OCJP will use the upcoming Strategy period to clarify its assumptions and improve its methods for analyzing the connections among dropout rates, median household income, crime rates, and future needs. That's really the nature of strategic planning. This Statewide Strategy is intended to make some of these assumptions more explicit as one means of focusing the direction of criminal justice in Tennessee.

Needs Raised by Growth and Change

Total Population and Population Growth: Tennessee's population of 5.7 million is concentrated in its four major urban areas, but the metropolitan Nashville-Davidson County area is by far the most heavily populated region of the state. Memphis has a larger city population, but its surrounding area is much less populated. The central "grand" division is where 43% of the counties, 42% of the judicial districts, and most of Tennessee's higher-density jurisdictions are located. Nearly half of the state's lowest density counties are also located in this rather large "grand" division, but so are five of the six counties with the greatest rates of growth between the 1990 and 2000 U. S. Censuses. Five of the six judicial districts with the highest rates of growth (approaching 50% in ten years) are in the north-central Cumberland Plateau surrounding Nashville. These are also the districts experiencing high rates of growth among non-English-speaking people, mostly in an arc south of Davidson County reaching all the way to the Alabama border. In these five jurisdictions the rate of growth is over 300% since 1990, and the consequent need for interpreters is dramatic.

By contrast, the western "grand" division plays host to only 21 of the state's 95 counties (22%) and only 7 of its 31 judicial districts (23%). Fully 71% of its jurisdictions appear in the lowest quintile of districts on the scale of growth since 1990. Although the Memphis area is growing, it is doing so at a much slower pace than other areas of the state. Only one judicial district, the 26th, is experiencing a high rate of growth among non-English-speakers, and Memphis is only average for the state on this scale.

The eastern division contains 33 of the 95 counties, and 11 of the 31 judicial districts, making it home to roughly a third of the state's legal jurisdictions. The east is more densely populated than the western division; only 14 of the 55 lowest-density counties are located in the east. The Tri-Cities area of upper east Tennessee approaches the population sizes of many of the plateau counties, but the rate of growth in upper east Tennessee is much lower than that in the central division. Pockets of growth may be found in the east, especially in the 4th (approaching 50% in ten years), the 5th and 10th Judicial Districts east of Chattanooga and Knoxville, along the North Carolina border. These are also the spots experiencing the greatest growth among non-English-speakers in the east; the Johnson City area in the 3rd Judicial District has experienced the 300% growth rate similar to that in central Tennessee.

Median Household Income: According to the U. S. Census Bureau Tennessee's 2001 statewide median income for a family of four (\$56,052) places it sixth among the ten southeastern

states, ahead of Alabama, Kentucky, Louisiana, and Mississippi. That appears to be 89% of the median household income for the United States as a whole (\$63,278). Once again, the highest median household incomes within Tennessee cluster around the central judicial districts, where five of the state's six highest-income districts are located. However, three judicial districts with the lowest household incomes line up along the mountains on the eastern edge of the central grand (an area that corresponds with high rates of arrest for methamphetamine and marijuana). Actually, the 8th and 19th Judicial Districts appear to have median household incomes (under \$25,000) that are close to the federal poverty level for a family of four (\$18,400). The 8th is considered at high risk for incidents of drug offenses, and the 19th has one of the highest rates of Group A crimes against people.

The western division's income leader is the 30th Judicial District, which serves Shelby County and Memphis. Its suburbs are also high on the median income scale. The northwest corner of the state is the site of four of the lowest median-income jurisdictions in the state.

In the east only the Chattanooga vicinity comes close to the statewide median. The cities of Knoxville and Judicial District 2 in the upper northeast have median incomes of under \$38,000, but most of the districts show income levels below \$33,000. This makes the eastern grand division the "grand" division with the greatest number of districts from the lowest median incomes of the state.

System weaknesses tied to domestic violence: In Tennessee these days the community is more aware of violence against women, and the number of victim service agencies has grown. Greater attention to enforcement creates greater demand on the courts. Still, inadequate law enforcement responses, prosecution, and court-imposed consequences on domestic violence offenders continue to pose problems for victims of domestic violence in Tennessee. Domestic violence training is still not provided often enough for police, judges and prosecutors; OCJP continues to fulfill this training need across Tennessee. While special police DV and prosecution units are being developed, their numbers remain small statewide. Local domestic violence task forces exist in only half of the thirty-one judicial districts, despite attempts to promote collaboration. Advocacy in the legal system is stretched thin: most judicial districts in Tennessee provide only one victim services staff member, and six do not have even one paid advocate. These advocates serve victims of all violent crime, not just sexual assault victims. In rural areas, this means that the one advocate may have to serve more than one site, and be physically present only on certain days of the week. Studies have shown that victim advocates assist the effectiveness of prosecution by enhancing the participation of victims and witnesses in the legal process.

The judicial districts in the eastern grand division have demonstrated the highest numbers of domestic violence victims of all kinds in the state; sixteen counties have reported incidents that place them among the leaders statewide. However, the central grand division reports 13 counties with similar high numbers of victim cases, and most of these are in the same jurisdictions where we see high rates of population growth, changing cultural mixes, and violent crime. Seven of the 21 counties in the western grand division reported high numbers of domestic violence cases to TIBRS in 2001, led by the 30th Judicial District in Memphis.

Crime: Group A Crimes against People and Drug Offenses

Group A Crimes against People: The cities are the locations of the highest crime rates per 100,000 capita, and all three divisions therefore have their fair share of serious crime. In the west, the 26th (Jackson) and Memphis have predictable rates, but the 29th Judicial District ranks among the highest crime rates despite its low population. In the central division, Nashville's rate is predictable, but the far less populous 22nd Judicial District has a similar high rate of Group A crimes – apparently corresponding with its high rate of population growth. In the east, Chattanooga's rate (11th) is predictably high, but Knoxville's (6th) rate is lower than the state's other large cities' rates. Still, the rates of Group A crimes in the fastest-growing parts of east Tennessee make this a high priority area for law enforcement. (Incidentally, the relatively low clearance rates of eleven judicial districts make them potential targets for future court diversion alternatives and other forms of attention.)

Methamphetamine: The data suggest that the five biggest markets for methamphetamine disruption all appear in the central grand division, in the jurisdictions of the task forces of the 12th, 13th, 14th, 15th and 31st Judicial Districts. In the east the focus appears to be on the 8th, 9th and 3rd Judicial Districts. Only the 14th (Coffee County) makes *both* the lists for high meth trafficking and high rates of Group A crimes. The data suggest that Memphis in the west would have the highest need for assistance with meth enforcement due to the trafficking at Memphis International Airport.

Prescription Drug Abuse and Diversion: Tennessee's need is to reduce abuse and diversion of prescription drugs engaging the cooperation of agencies that regulate prescription drugs, the agencies that enforce laws on illegal diversion of prescription drugs, public health officials and health care professionals, treatment agencies and others. An essential part of the strategy will be for the stakeholders to work together to raise the public's awareness and understanding of the impact of abuse and illegal diversion of prescription drugs. The Tennessee Board of Pharmacy is in the process of developing a project and OCJP needs to monitor its progress and help in whatever ways it can.

Spending: State Resources

Grant support by OCJP can be demonstrated to be commensurate with the distribution of counties, judicial districts, population, population growth and data on crime. For example, with 35% of both the state's counties and judicial districts, the east receives 35% of the state's Byrne-funded projects and 33% of its sub-grant dollars among judicial districts. With 41% of the counties and 39% of the judicial districts, the central "grand" division receives 46% of the Byrne-funded projects and 44% of the sub-grant dollars. The west receives the remainder, in rough proportion to its size and needs. That is, the west contains 26% of the judicial districts and 19% of the counties, and it receives 19% of the grants and 23% of the Byrne dollars allocated by judicial district. See Figure 12 beginning on the next page.⁴

⁴ SOURCE: "Byrne Memorial Grant Statewide Allocations Database." 2004. Tennessee Office of Criminal Justice Programs.

Figure 12. Tennessee Byrne Spending by Grand Division: FY 2004

Grand Divisions	Counties	# grants	# counties	Total \$ FY 04-07	% of total \$\$
Eastern Judicial Districts 1-11	Washington, Carter, Johnson, Union, Sullivan, Hancock, Hawkins, Hamblen, Greene, Grainger, Cocke, Jefferson, Sevier, Blount, Knox, Anderson, Fentress, Scott, Union, Campbell, Claiborne, Morgan, Roane, Meigs, Loudon, Bradley, Polk, McMinn, Monroe, Hamilton, Sequatchie, Rhea, Bledsoe*	37 (35%)	33 (35%)	\$8.063m	32.96%
Central Judicial Districts 12-23	Grundy, Marion, Franklin*, Clay, Pickett, Overton, Putnam, DeKalb, White, Cumberland, Coffee, Macon, Trousdale, Wilson, Smith, Jackson, Rutherford, Cannon, Marshall, Bedford, Moore, Lincoln, Sumner, Montgomery, Robertson, Davidson, Perry, Hickman, Lewis, Williamson, Wayne, Lawrence, Giles, Maury, Stewart, Houston, Cheatham, Humphreys, Dickson	48 (46%)	39 (41%)	\$10.77m	44.03%
Western Judicial Districts 24-31	Henry, Carroll, Benton, Decatur, Hardin, McNairy, Hardeman, Fayette, Tipton, Lauderdale, Madison, Henderson, Chester, Obion, Weakley, Gibson, Crockett, Haywood, Dyer, Lake, Shelby, Warren, Van Buren	20 (19%)	23 (24%)	\$5.63m	23.01%
TOTALS		100%	100%	\$24.463m	100.00%

* Note: Figure 16 does not address \$2.84 million in Byrne grants awarded for 2004 for statewide projects (e.g., interpreters, victim assistance coordinators, records improvements, etc.). Also, Judicial District 12 includes one two-county grant of \$95,000 for Bledsoe and Franklin Counties. Since these counties cross the "grand division" OCJP tallied this grant among the figures for the Central.

Environment Scans by OCJP Grant Managers

As noted in Appendix B, part of the responsibilities of Byrne grant managers at TN OCJP is monitoring developments and trends in the field. The practitioners in daily contact with crime and prosecution activity statewide are an invaluable source of new information, and they are crucial for helping OCJP interpret the crime and socio-economic data we gather throughout the planning cycle. Among the needs noted by practitioners in the field this year were the following issues:

- Support for court and prosecution projects, whose staffs need translators and advocates for non-English-speakers. Judicial districts 3 (in the east) and 16, 17, 20, 21, 31 (in the

central) have demonstrated quite high rates of growth among non-English-speakers. These areas need special consideration should funding become available.

- Courtroom security is currently a source of concern for county sheriffs, especially since September 11th and the heightened attention to internal threats. Other law enforcement officials have noted the need for “Reverse 911 Systems,” again to help them cope with a potential increase in domestic terrorism threats.
- Tennessee criminal case backlogs continue to grow statewide, according to the state’s public defenders.
- Coordinators’ positions are needed for teen courts (Diversion Programs).
- Methamphetamine and drug diversion continues to be uppermost on the minds of the directors of the state’s 23 multi-jurisdictional drug task forces covering 27 judicial districts. Methamphetamine requires a great amount of manpower and funding for cleanup, and the dangers to personnel are real.
- More task force directors are also paying attention to the need for anti-terrorism skills; training is high on their needs list because they have been advised by DEA and others that drug enforcement officers are most likely to be the first law enforcement officers to come into contact with terrorist groups. There is growing evidence that links drug trafficking to terrorism.
- The drug task forces’ directors have also indicated that they need training on performance management, planning processes and performance review and evaluation in order to keep up with expectations of various grant sources that they collect and report better performance data.
- Law enforcement and prosecutors have said that the protection of information in “cyber-space” is especially relevant to criminal justice issues and securing funds to combat this problem should be a priority.

Needs Analysis, Gaps and Byrne Funding Priorities

Given the limited resources Tennessee has to provide services, OCJP must balance the communities’ needs with grant programs of a very limited nature. By continuously assessing Tennessee’s funding capacity (such as federal and state grant prospects) OCJP maintains the best possible balance between the community’s needs and Tennessee’s resources. When OCJP compares state resources with the needs and demands for quality services, there is usually a gap. That analysis helps OCJP make responsible budget decisions. Keeping an inventory of resources also helps us avoid managing for crises by responding in ways consistent with OCJP’s strategic direction. OCJP grants managers monitor the condition of the following federal and state grant sources for Tennessee:

- *Edward Byrne Memorial Grant Program:* OCJP administers the Edward Byrne State and Local Law Enforcement Assistance Formula Grant. The goal is to make communities safe, improve the criminal justice system, and reduce crime, violence and drug abuse. Special issues addressed by this program have included improvement of criminal justice records, domestic violence prevention and intervention, prevention of school violence, drug offender prosecution and treatment, information system technology, community-based policing, court and drug task force support and correctional systems improvement. This program currently funds more than 130 local and state projects.

- *Local Law Enforcement Block Grant Program (LLEBG)*: The state uses these funds for statewide drug enforcement, gang initiatives, drug task force training, drug court support as well as selected equipment needs for both local and state agencies.
- *Safe Neighborhood Act of 1998 (SAFE)*: Through the Tennessee Safe Neighborhoods Act, OCJP makes available \$7,500,000 state dollars to assist local law enforcement agencies that are actively participating in or making application for the COPS Universal Hiring Program administered through the U.S. Dept. of Justice. This SAFE funding covers 10% of the total COPS grant, reducing the 25% match requirement from the local agency to 15%.
- *National Criminal History Improvement Program (NCHIP)*: OCJP coordinates the state level interagency taskforce which leads the effort to improve the collection and reporting of criminal histories throughout Tennessee's criminal justice system. The Office administers grant funds and coordinates activities statewide to improve this system.
- *STOP Violence Against Women Program*: OCJP coordinates, plans and serves as the administrative agency for Tennessee's STOP Violence Against Women Grant. The Office administers approximately 65 grants to law enforcement, prosecution, and victim services agencies.
- *Residential Substance Abuse Treatment (RSAT)*: OCJP administers the RSAT Grant for state prisoners. The program provides for substance abuse treatment programs in state and local correctional facilities.
- *Victims of Crime Act (VOCA)*: Tennessee's VOCA program is designed to provide high quality services that directly improve the health and well being of victims of crime. Priority is given to victims of child abuse, domestic violence, sexual assault and services for previously underserved victims. Currently over 75 grants are funded throughout Tennessee.
- *Family Violence Shelters*: This state program provides grants for shelter and related services to victims of family violence and their dependents. Funded shelter services are provided 24 hours a day, 7 days a week. They include shelter, crisis hotline, counseling, advocacy, transportation, referral, follow-up and community education. This program currently funds more than 30 shelter grant programs.
- *Sexual Assault Fund*: This new state-funded program was initiated in 2003. It is funded through a fine levied on all sexual assault offenders. This state initiative will fund programs that provide direct services for victims of sexual assault.
- *Drug Court Fund*: This new state-funded program was also initiated in July 2003. It is funded through a fee, which applies to any offense under Tennessee Code Annotated, Title 39, Chapter 17, Part 4, of the Tennessee Drug Control Act. This program is intended to reduce incarceration and increase success among drug and alcohol addicted offenders. This state initiative will enhance and implement drug court programs across the state.

Tennessee's Areas of Greatest Need

Community-based crime prevention & education activities: Traditionally, Tennessee has been unable to invest large amounts of money in prevention programs. Because of the demographic changes occurring in Tennessee there is a need to distribute these types of prevention programs statewide. Resources are needed to prevent the beginning use of illegal drugs by the state's children, including the need for additional efforts to educate Tennessee's young people to the dangers of illegal drugs and alcohol and about alternatives to violence. School-

based programs can educate our young people to the dangers of illegal drugs and alcohol as well as offer them a safe and supportive environment that encourages them to reject these substances. Other approaches needed include community-empowering partnerships for community policing and crime prevention, such as Crime Watch programs.

Training in domestic & family violence intervention: Training needs to add quickly to Tennessee's knowledge base from experiences of jurisdictions outside of Tennessee, and from those more experienced jurisdictions inside of Tennessee. Law enforcement agencies have reported their needs for training in investigation and intervention in domestic violence cases. Increased emphasis on the enforcement of the state's Victim Rights Amendment has motivated local agencies to find training on sexual assault and family violence interventions. Prosecutors, too, need training in the unique dynamics of family violence cases. There is a clear need for training of victim advocates, whose support can enhance to overall performance of the system.

Comprehensive, coordinated support for victims and witnesses: Tennessee needs victim advocacy coordinators to support and advise victims and to encourage witnesses throughout the stages of the criminal justice process. Serving as part of the prosecution team, victim assistance coordinators (VACs) improve on the collection of evidence and information, and assist in negotiating pleas and verdicts by conducting victim impact statements. VACs are currently housed by 25 of the 31 judicial districts with one statewide grant. The need is for as many VAC positions as we can afford, to match the capacity with the demand statewide.

A continuum of treatment for prisoners, jail inmates and those under supervision of the courts: Increased law enforcement efforts, better adjudication processes and an increase in drug and violent crime sentences are causing Tennessee's felon population to continue to rise. Projections made back in 2000 anticipated growth in the number of state inmates housed in state prisons from an average of 20,400 in June 1998 to nearly 25,000 by June 2005. In fact, that had happened by June of 2003. Not only growth in population but also the nature of violent offenders, gang offenders and drug offenders present unique problems to the Tennessee correctional system. We need programs to detect, counsel and monitor drug-abusing inmates and offenders in community corrections. Treatment projects are needed to address needs prohibited by statutory exclusions in the federal RSAT funds. These needs must be addressed by programs effective in enhancing the participant's cognitive, behavioral and vocational skills, and that emphasize community follow-up after release.

Coordinated multi-jurisdictional apprehension and prosecution of drug offenses & violent crimes: The possession, sale, and cultivation of illegal drugs have impacted communities across the state in rural, suburban and metropolitan areas. The drug problem has exacerbated violent crime activity; it touches every citizen in Tennessee in some way. Individual law enforcement agencies in Tennessee do not have the personnel or funding to combat the problem alone.

As drug distribution activities spread over larger regions – ignoring the artificial boundaries of individual jurisdictions – law enforcement (and prosecutors) are forced to explore the need for the developing investigation/prosecution task forces that meld the talents of individual offices into a new whole. There is also a need for specialized skills and expertise in rural settings where portions of criminal enterprises take place without regard to the size of the office or the need for special-

ized skills. The jurisdictions with the fewest of these skills appear more attractive to the drug crime activity. Undercover work is made more difficult, if not impossible in smaller communities, where police officers are well known to the locals. For these and many other reasons, the multi-jurisdictional drug and violent crime task forces fill the gaps between the traditional law enforcement organization and the need for a structure capable of responding to these new requirements and demands.

Tennessee continues to require the prosecutor-led multi-jurisdictional task forces. There is still a gap in support for prosecutors' performance of this non-traditional role. Ultimately, the best measure of quality and the most accurate "test" of a task force's accomplishments is still how well prosecutors and law enforcement perform in court on the cases generated by their task force. There is a need to ensure successful prosecution of these cases in state courts to discourage Tennessee from becoming a target of opportunity for expansion. Bottlenecks or gaps in local capacity need to be quickly recognized and addressed. From a law enforcement and prosecution perspective, the objective should be to eliminate all gaps in the learning curve about apprehension and prosecution in all jurisdictions. For the short-term, the objective would be eliminating the "attractiveness" of a jurisdiction to criminals who think they will enjoy a "grace period" while local law enforcement and prosecutors "gear up" for action.

Specialized training would be very helpful if made available to all law enforcement professionals on a few key subjects: dealing with the emerging issues of drug enforcement; implementation of sex offender statutes; and recent court rulings and case law dealing with searches and civil forfeitures. Other training could address meth lab seizure and cleanup, and in certain types of national security and terrorism issues. Rapidly changing conditions, turnover of trial lawyers, and the continuous need to update training curricula and materials mean that gaps must be filled.

Offender diversion programs and other court delay education projects to enhance court performance: Recent improvements in law enforcement manpower, technology and professional practice have given rise to an increased arrest rate in Tennessee, and spikes in arrest rates impact the State's adjudication system adversely. OCJP continues to implement improvements to the Tennessee court system, such as the standardized caseload recommendations made in 2000 by the Tennessee Comptroller of the Treasury. OCJP sees the need for sanctions that exist between regular probation and incarceration in jail or prison, intermediate sanctions that have the confidence of all the key players in the criminal justice system. Also of major importance are diversion alternatives, such as drug courts, day treatment and transitional programs for offenders re-entering the community from correction settings, and a focus on reduction of recidivism in the justice system overall. We need to build on the base provided by the current diversion programs, developing jurisdiction-specific approaches to the use of intermediate sanctions, largely in cases of standard offenders who face conviction on drug-related charges. These approaches need to use prosecutors and public defenders for initial screening. Jurisdictions where the district attorney general and the sheriff are interested in active participation and involvement will be selected. The need is for approaches that offer meaningful alternatives to incarceration, such as sentencing plans, third party supervision, employment and community work, education, drug treatment, mental health care, and restitution.

Specialized prosecution of drug, child abuse and domestic violence offenses There is also a need for specially trained drug prosecutors as well as domestic violence and child abuse prosecutors. Tennessee's court system could also benefit from improvements to infrastructure, which would provide a system, for example, that ensures translation services to all non-English speaking defendants and witnesses.

Improve criminal justice information sharing and integrated systems: Tennessee, like many states, has been deficient in the area of consolidated, coordinated statewide programs to collect, manage and disseminate information relating to crime, criminals and criminal activity. The lack of accurate, reliable criminal history information that can be shared expeditiously among a variety of stakeholders in the criminal justice community has been a significant obstacle to the effective apprehension and prosecution of offenders. The primary needs in this area are the coordination and continued enhancement of our statewide criminal history records system. To address these needs, as well as others in this area, OCJP established the Criminal History Records Improvement Task Force to develop and oversee a comprehensive, coordinated plan for the improvement of Tennessee criminal history records. The need now is to continue on course in implementing the plan and to maintain the momentum we have already begun. Another of Tennessee's greatest needs is in the area of automation for the court record system. New equipment and increases in personnel are essential for dealing with overcrowded courts.

Chapter

4 Priorities & National Strategy

Introduction

In this chapter OCJP sets out the Byrne Priority Areas established by Tennessee's strategy development process for identifying the state's drug and violent crime problems and needs. We also explain the relationship of these Tennessee priorities to the National Drug Control Strategy. Tennessee's Priorities for 2004 -2007 are the same six areas identified in the previous Multi-Year Statewide Strategy for Drug Control, Violence Prevention and Criminal Justice System Improvement. Figure 13 "maps" state needs, priorities and national strategies.

Figure 13. Relationship of Tennessee's Needs, National Strategies and Six Byrne Priority Areas

TENNESSEE'S COMMUNITY NEEDS FOR CRIMINAL JUSTICE IMPROVEMENTS (see Chapter 3)	THREE NATIONAL DRUG CONTROL STRATEGIES	TENNESSEE'S SIX (6) PRIORITY AREAS for Byrne Grant Funding
Community-based crime prevention & education activities Training in domestic & family violence intervention Comprehensive, coordinated support for victims and witnesses	I. Stop drug use before it starts: <ul style="list-style-type: none">• Education• Community Action	1. Community-based services 2. Victim advocacy
A continuum of treatment for prisoners and jail inmates	II. Healing America's drug users: <ul style="list-style-type: none">• Getting treatment resources where they are needed	3. Offender rehabilitation
Coordinated multi-jurisdictional apprehension and prosecution of drug offenses & violent crimes Pre-trial diversion of less serious offenders to enhance court performance Specialized prosecution of drug, child abuse and domestic violence offenses Improve criminal justice information sharing and integrate systems	III. Disrupting the market: <ul style="list-style-type: none">• Attacking the economic basis of the drug trade	4. Offender apprehension 5. Court support 6. Criminal justice records improvement

How the National Drug Control Strategies Influence TN Priorities

The Office of National Drug Control Policy (ONDCP) released its current Strategy in February 2003. The White House's approach to reducing overall U. S. drug use is based on three strategic targets of performance. Those three priorities drive planning for state funding priorities, which in turn influence state program planning in Tennessee. The three National Strategies are as follows:

Strategy I. Stop drug use before it starts:

President Bush's introduction to the National Drug Control Strategy for the Congress explains that the goal of Strategy I is to reduce drug use through education and community action. Tennessee views in-school drug education as the prevention strategy of choice. It must provide a platform of standard information on the dangers of drugs and violence for students from kindergarten through twelfth grade. It is crucial that straight facts on the use of drugs (that include tobacco and alcohol), and about the dangers of violence and drug abuse prepare students to avoid drug use. School resource officers in the schools not only ensure mental health and safety for children, their presence can counter the message that drug use is socially acceptable. School-based projects, through conflict resolution and youth advisory boards, can also divert students who might otherwise be vulnerable to drug use – providing empowerment rather than fostering a life of dependency and drugs.

OCJP also views it a priority that Byrne funds support community crime prevention in the form of community policing, neighborhood watch programs and prevention programs targeting at-risk youth. The challenge is supporting the quality of life in neighborhoods. Community crime prevention projects should include citizen-led initiatives for safe neighborhoods, mentoring programs and neighborhood watches. Support for victims and witnesses also has been shown to increase victim participation in the judicial process and to build cooperation and collaboration in early intervention, court support and advocacy. Community-based approaches can ensure victims are notified when an abuser is released, can provide trial information and ensure that victims receive proper referrals. These approaches may even enhance conviction rates by ensuring victim and witness participation. Effective interventions like these reduce recidivism and alleviate family conflict. They give victims and witnesses a "say" in court cases, and that tends to reduce powerlessness and encourage healthy recovery. All, we believe, have a beneficial effect on the rate of drug use and violent crime in our communities. Finally, training on domestic and family violence matters ensures that law enforcement and prosecutors will be better prepared for supporting families who otherwise might turn to drugs in times of family crisis.

Strategy II. Healing America's drug users:

President Bush's introduction to the National Strategy remarks that Strategy II is designed to help "heal and make whole [those] who have been broken by addiction." As the National Strategy puts it, "compassionate coercion" is most effective at getting people in denial into treatment. Getting treatment resources where they are most needed is the key. In Tennessee

we have come to believe that the most effective way of ensuring access to substance abuse treatment is to provide treatment for those who would otherwise most likely be repeat offenders. The goal is reducing criminal recidivism by changing the dependency behavior. Drug courts have demonstrated that their coercive authority is capable of requiring abstinence and altering behavior without lengthy stays in secure facilities. Drug courts and correctional treatment programs use sanctions, drug testing, case management, supervision and aftercare to produce what the National Strategy refers to as some of “the most promising innovations in recent memory.” Tested treatment modalities such as Moral Reconation Therapy have shown to be effective at preventing secondary offenses among offenders. Training for professionals that are involved in this area can also be effective. Our priority on rehabilitation in correctional and court settings must be coordinated with the RSAT Program, which is fortunately also administered by this Office.

Strategy III. Disrupting the drug market:

President Bush made it clear that the goal of the third national strategy is to “make the drug trade unprofitable.” Attacking the economic basis of the drug trade and exploiting market vulnerabilities disrupt the equilibrium of the drug market’s economy by denying drug traffickers the revenues they need to stay in business. Multi-jurisdictional Drug & Violent Crime Task Forces have been effective at locating and eradicating mid- and upper-level narcotics trafficking conspirators (i.e., wholesale distributors and command-and-control targets) through interagency agreements and pooled resources. The task forces collaborate on investigations, arrests, prosecution & conviction of serious offenders. Tennessee also intends to use Byrne funding to enhance the efficiency and effectiveness of the courts, enabling them to expedite the prosecution of serious offenders by diverting less serious offenders. Court support projects that administer reconciliation, charge-screening and caseload management improvements are also called for. Other priorities consistent with Strategy III include training for judges, interpreters for non-English-speaking offenders and support for additional drug courts. We also intend to continue using Byrne funds to promote special prosecution practices in drug and other cases involving violence against children and families, because we view special prosecutor positions for child abuse, domestic violence, and drug prosecution as forms of market disruption. Other priorities for making the drug trade unprofitable include the purchase of enhanced technology and equipment for recordkeeping, and law enforcement training for TIBRS automated records management.

Tennessee’s Multi-Year Drug and Violent Crime Strategy demonstrates our desire to align our initiatives in Tennessee with those promoted nationally. Tennessee’s Strategy also leaves room for growth and change as dictated by local needs, provided these are supported by future revenues.

Tennessee’s Priorities for Drug Control, Violent Crime and Criminal Justice System Improvements

We present Tennessee’s six priority areas in the pages that follow. Each priority area description provides a rationale for the Priority by discussing what needs to be achieved during the Strategy

period. We address these six priorities areas in a sequence corresponding to the three National Strategies: Prevention (community-based services, victim advocacy), Treatment (offender rehabilitation), and Market Disruption (offender apprehension, court support, and criminal justice records improvement).

Stopping drug use before it starts: Education and Community Action

On the prevention end of the spectrum education and community action serve three priorities in Tennessee:

- to improve the quality of life in the neighborhoods by assisting citizens to prevent and control crime through citizen-led and assisted initiatives such as community policing initiatives, crime prevention programs, and support of school resource officers.
- to provide education and/or training for police officers involved in all stages of family/domestic violence case investigation; to provide training for prosecutors for better preparation and prosecution of family/domestic violence; and to provide training to victim witness coordinators who provide liaison services between victim/witnesses and district attorneys general during all stages of the legal process.
- to increase comprehensive, coordinated services to victims and witnesses by providing early intervention, court information, and advocacy to victims; providing continuing education for victims and potential victims; and ensuring proper victim notification, trial information, and referrals.

Priority: Community-Based Services: Violence and drug-related crime continue to cause serious concern at the community level in Tennessee. Although no city or county is immune, the problem is most acute in our largest cities. We are seeking solutions at the community level. Consistent with National Drug Control Strategy I, Tennessee's Office of Criminal Justice Programs (OCJP) intends to address this need with programs that educate and encourage the State's youth to reject illegal drugs, tobacco, alcohol, and refrain from engaging in criminal activities. Moreover, efforts must be made to engage communities in actively ensuring the safety of their citizens. The literature supports our premise that in order to divert "at risk" youths from entering into the cycle of criminal behavior we must intervene at school ages.

Community crime prevention addresses these needs by developing and empowering partnerships for community policing. Enhanced police leadership ensures that prevention will work. High-quality police-community partnerships are central to the implementation of these kinds of programs, which are designed to enable citizens to "take back" their neighborhoods. This priority presents an opportunity for communities to explore local innovations that hold promise for other jurisdictions with limited financial resources. OCJP will continue a range of existing projects, as well as innovations such as officer training in the role of drug court diversion and "teen courts." Financial and administrative support for school-based resource officers will be provided to the greatest number of new jurisdictions possible while ensuring that an adequate number of sponsored officers statewide can be assigned to low-income, densely populated areas to increase crime suppression efforts in targeted communities. In order to increase the community's awareness and access to educational, social, and crime prevention programs, law enforcement staff in OCJP projects will be encouraged to work with concerned residents to develop task forces of key stakeholders at the individual project level.

OCJP will continue to fill part of the gap between what schools can do with the safe schools funds and unmet needs around issues of drugs, alcohol, and violence, especially in rural and poor school districts. We will continue to address the gap in school knowledge and fact-based drug and violence prevention programs utilizing a range of intervention strategies. The state's Safe Neighborhoods Act assists local communities in implementing the federal COPS Universal Hiring Program. Local communities receive grant awards to pay for a portion of the twenty-five percent match required by the COPS grants. Local communities have been encouraged to use these COPS Universal Hiring Grants to hire School Resource Officers where needed.

Priority: Victim Advocacy: The criminal justice system has traditionally been offender-oriented, focusing on the apprehension, prosecution, punishment, rehabilitation and rights of the accused. Although victims and witnesses have always played a vital role in apprehension and prosecution of domestic violence offenders, the lack of understanding by the criminal justice system of victims' special needs made their participation in prosecution difficult. That limited their effectiveness. Without victims and witnesses fully participating in prosecution we can expect that family trauma and other social problems will deteriorate into drug abuse and violent crime.

The mandates of the victims' rights amendment to the Tennessee Constitution have created a very complex and highly specialized prosecution system in the area of victim advocacy. In order to ensure victims' rights, training at both the prosecutor and law enforcement levels must be upgraded on an ongoing basis. Moreover, a court system already inundated with other crimes is not prepared to handle the influx of these cases. OCJP views the four-year period of this Statewide Strategy as a continuing opportunity to assist the criminal justice system to adjust to the Amendment. Education and training continue to be required among court personnel.

There is also a necessity of providing more services, appropriate notification of proceedings, and increased sensitivity to the rights of the victims to participate in the criminal justice process. Tennessee Code Annotated (TCA) 40-38-103 clearly holds district attorneys general responsible for ensuring that the above responsibilities are fulfilled. But given the caseloads and stresses on our court system, the system still needs help finding ways of providing crime victims with sufficient notices of all hearings, given sufficient opportunities to "be heard," and treated with complete diligence and sensitivity. The Office of Criminal Justice Programs will continue to support the transition toward full implementation of the Victims Bill of Rights by helping to close persistent gaps in resources within law enforcement and prosecution. Collaborative funding with the Victims of Crime Act (VOCA) grant and allocated state resources will be used to augment and complement current program efforts.

Tennessee continues to attend to its long-term goal of improving the process of investigating and prosecuting domestic violence and child abuse cases. These cases involve victims that are among our most vulnerable and difficult to protect. The ways that dispatchers treat victims, the approach of the first officer on the scene, and the behaviors of the detectives investigating cases all shape the victims' expectations of how they will be treated throughout the justice process. That affects their ability to assist the prosecution. It is therefore critical that

every law-enforcement professional knows how to respond in a sensitive and effective manner. Competent, trained victim/witness coordinators play a crucial role as part of a prosecution team as well, assisting in informing the victim about procedures, court dates, crisis intervention, support services, and appropriate referrals. Projects funded through domestic violence training programs will be designed to train law enforcement personnel in the investigation of family/domestic violence issues (including sexual assault). Training for prosecutors in the unique dynamics of family/domestic violence cases and the successful prosecution of these cases is a priority. Another priority is training for victim/witness coordinators who will specialize in cases involving family/domestic violence and crimes of violence.

OCJP will continue to coordinate projects funded in these areas with projects funded by STOP Violence Against Women (VAWA) Grants and through Victims of Crime Act (VOCA) grants. The ultimate goal of OCJP is to provide complementary funding in each of these priorities, using awards in each type of grant to complement or enhance activities undertaken in other sub-grants. The result will be that victims are treated with increased sensitivity to their needs, are included more actively in the criminal justice system, and ultimately will become active participants in prosecuting offenders.

Healing America's drug users: Offender Rehabilitation

Many offenders in the criminal justice system do not have a high school education or marketable job skills. Their criminal lifestyle is often precipitated or exacerbated by substance abuse or addiction. Without effective rehabilitation services, offenders often demonstrate a high rate of recidivism and an escalating pattern of criminal behaviors. Thus a major priority for Tennessee, consistent with National Drug Control Strategy II, is the development and maintenance of a system of effective job, educational, rehabilitation, and substance abuse treatment services for criminal justice offenders. The priority is to establish a continuum of substance abuse treatment modalities for offenders through the solicitation of competitive proposals to augment existing Drug Court or RSAT-funded initiatives. The goal of substance abuse treatment in Tennessee will be to provide treatment for those who would otherwise most likely be repeat offenders, reducing criminal recidivism by changing dependency behavior.

Priority: Offender Rehabilitation: Tennessee continues to require programs designed to:

- (a) Provide substance abuse treatment services that complement or enhance projects currently financed through the Residential Substance Abuse Treatment for State Prisoners (RSAT) Grant;
- (b) Provide viable alternatives for offenders appearing before Tennessee's drug courts; or
- (c) Provide alternative treatment, training and skills building for offenders in a community corrections setting.

The need is for a continuum-of-care treatment approach for substance abuse offenders in the county and state correctional system. Services provided should not only stop the abuse of sub-

stances, but should focus on the development of the offender's cognitive, behavioral, social, and vocational skills. Treatment changes behavior, replaces substance abuse, ameliorates psychosocial problems, and enhances the offender's ability to lead a productive life outside the institution.

A major long-term goal of treatment initiatives is to provide effective community supervision and aftercare services ("re-entry programs") so that an offender is not abruptly "cut off" from necessary support services upon release from incarceration. In the area of substance abuse treatment, the aftercare component should focus not only on continued outpatient substance abuse treatment, but also on other components of daily living that ensure successful re-integration into society – such as ongoing training in job interview and job search skills, assistance and support in locating viable employment options, housing assistance, assistance in pursuing additional vocational training, and improving familial relationships.

The Office of Criminal Justice Programs will be seeking to initiate *new substance abuse treatment programs* for female and juvenile offenders, and to establish mental health courts, drug courts, dual diagnosis courts to augment existing programs funded through RSAT or Drug Court grants. The development of these new programs, coupled with the continuation of existing programs and training for their implementation, should result in a reduction in the rates of drug use and criminal activity among the offender populations being served.

Disrupting the drug market: Offender Apprehension

Consistent with Strategy III of the national drug control policy and with Tennessee's needs as identified in the previous chapter, the Office of Criminal Justice Programs (OCJP) has identified three priorities for disrupting the market: Offender apprehension, court support and criminal justice records improvement.

Priority: Apprehension: Law enforcement is the "engine" driving much of what happens throughout the other components of the justice system. Investigation, apprehension, and crime suppression are all critical correlates to deterrence and prevention in society's total response to drug-related and violent crime. For this strategy period Tennessee's goal will be to enhance the ability of federal, state, and local criminal justice agencies to remove specifically targeted mid and upper-level narcotics trafficking conspiracies through investigation, arrest, prosecution and conviction, using jointly controlled operations. To this end, OCJP will place a special emphasis on the continuing problem of methamphetamine production. The long-term goal is to reduce or eliminate the production and distribution of methamphetamine, and with it the violent crime that often accompanies its distribution and use. The inextricable link between the quality of police investigations and the quality of prosecutions requires us to continue assessing the training needed to build adequate skills, and the provision of training to reach the desired skill levels. This strategy period will also provide an opportunity to enhance the performance of multi-jurisdictional drug task forces at gathering evaluation results.

The drug problem has exacerbated violent crime activity in Tennessee. Besides the dependency and violence it spawns, drug-related crime has created an enormous monetary burden for the state. Individual law enforcement agencies in Tennessee do not have the personnel or funding to combat the problem alone. As drug distribution activities spread over larger regions – ignoring the artificial boundaries of individual jurisdictions – law enforcement (and prosecutors) are forced to ex-

plore the need for developing investigation and prosecution task forces that meld the talents of individual offices into a new whole. These inter-jurisdictional entities, called multi-jurisdictional drug task forces (MJDTFs), cooperate with state departments and local law enforcement agencies to conduct covert and overt operations to disrupt drug trafficking. Covert operations target upper-level drug dealers and overt operations intercept the drugs while in transport. Intercepting these shipments often leads to controlled deliveries in Tennessee and other states that assist in mapping out the drug routes. The creation of Judicial District Drug and Violent Crime Task Forces under Tennessee Code Annotated (T.C.A.) 8-7-110 has resulted in improved collaboration, written inter-agency agreements, pooling of resources including personnel and equipment, and a better system of addressing drug issues using a team concept. The Office of Criminal Justice Programs (OCJP) will continue funding for all 29 eligible apprehension projects during the upcoming fiscal year. Byrne funds issued for continuing the Multi-Jurisdictional Drug and Violent Crime Task Forces will support the location and eradication of illegal drugs. They will also support prosecuting those responsible for the manufacture, distribution and proliferation of illegal drugs. The Office of Criminal Justice Programs will continue to work with regional District Attorneys and the directors of regional Task Forces to evaluate their results and to use this information to function more efficiently and effectively. OCJP will also explore other programs designed to build needed investigation skills and trial skills related to task force cases.

Disrupting the drug market: Court Support

Second among Tennessee's priorities for addressing national Strategy III is support for the state's courts. The increase in the volume of cases needing to be handled by local courts, and the necessity for improving the effectiveness of specialized prosecution clarifies the continuing demand for programs that will:

- enable the court system to function more effectively and efficiently by providing resources for public defenders and prosecutors to divert less serious offenders to intermediate sanctions; and
- improve the criminal justice system's response to child abuse, domestic violence and drugs/violent crime by funding early case preparation, vertical prosecution and specialized training for prosecutors, public defenders and the staffs of drug courts.

The problem is that court delays remove the deterrence element from the market disruption effort just as much as unprepared and under-staffed prosecution offices in some areas of the state. These issues represent both a state and a national priority for effective market disruption.

As public awareness has increased and community partnerships have formed, there has been an encouraging rise in the number of incidents of drug sales/use, violent crimes, and other criminal activities reported. Law enforcement agencies have intensified their efforts in apprehension, asset seizures, and drug removal. As a result of increased reporting and investigation, the court systems have become overloaded with the large volume of cases. Similarly, there is an increased tendency to report and prosecute domestic violence cases. Specialized investigative techniques, better education of law enforcement staff, and the addition of officers trained in specific areas of crime prevention have improved the system's ability to respond. (The increase in domestic violence assault cases is an indication of greater public awareness in the area of victim rights and assistance.) Finally, the efforts of the Drug and Violent Crime Task Forces have yielded impressive results, with

dramatic increases in drug eradication and arrests of those who possess, distribute, or cultivate illegal drugs. Thus, the successes of some segments of the criminal justice system have created a major problem within the judicial component of the system. In the metropolitan areas, it remains difficult for the current prosecution staffs and courts to present and adjudicate the pending drug, violent crime and domestic violence cases in a timely manner.

At the Office of Criminal Justice Programs the priority continues to be on supporting projects designed to divert less serious offenders from full involvement in the criminal justice process. Also to be continued must be support for specialized public defenders and the provision of mental health and drug courts to serve the needs of offenders with specific treatment needs. Projects are needed to provide support for courts in facilitating communication with non-English speaking clients through the provision of foreign language interpreters, as are specialized training initiatives for judges and court support staff. Our recent discussions with professionals in the field suggest that efforts aimed at early intervention with young people (e.g., “teen courts”) may be an innovation worth watching during this strategic period. Finally, Tennessee has a high priority for specialized prosecution positions and training for prosecutors’ staffs.

Priority: Court Support: Pretrial service delivery is designed to identify and divert less serious offenders into appropriate alternative resources without the necessity of taking them through the complete criminal justice process, including complete and time-consuming court hearings. The current program focuses primarily on offenders who face conviction of drug or drug-related offenses that did not involve the use of weapons and that presumably pose less of a public safety risk. Eligible offenders are referred by the Assistant Public Defenders for initial screening and possible acceptance by the program. Once accepted into the program, Sentencing Advocates seek to offer the court a meaningful option between prison and probation by developing individual sentencing plans that are intended to be both punitive and rehabilitative. These plans may incorporate such elements as third-party supervision, employment, community service work, basic education, drug and/or alcohol abuse screening and treatment, mental health care, medical treatment and restitution payments.

Special prosecution services have been effective at enhancing the prosecution of defendants implicated in child abuse, domestic violence cases or drug possession/ distribution/cultivation by preparing prosecutors to win. In the final analysis the greatest law enforcement work builds a case that is merely a tool for the prosecutor, who must use it to reach a plea agreement or present it in court to obtain a conviction. When a priority methamphetamine case is made by law enforcement, there needs to be a prosecutor *available* to try the case. More importantly, the prosecutor must be *ready* to try the case. And readiness requires knowledge and skills. Special prosecution projects can provide specialized prosecutor positions, as well as training and support of those prosecutors – whose work is dedicated to the prosecution of defendants implicated in child abuse, domestic violence cases or drug possession/ distribution/cultivation. Prosecutors complete specialized training and workshops designed to improve their knowledge may then oversee all child and domestic violence cases, and most drug and violent crime cases, coming into the criminal courts. Vertical prosecution of child/domestic violence abuse and drug-related cases ensures strict, consistent prosecution, thereby increasing conviction rates and appropriate sentencing.

OCJP intends to continue the provision of specialized training to enhance the professional capabilities of regional prosecutors and support staff, as it will supply continuation funds to support special prosecutors and staff as they address the needs of specialized cases such as domestic violence, child abuse and narcotics prosecutions. The Office of Criminal Justice Programs (OCJP) plans to continue our existing pre-trial and special prosecution programs in existing judicial districts. These programs will continue to focus on diverting less serious offenders into alternative services, which will prevent them from participating in the full criminal justice process. The long-term result should be the operation of local court systems that are able to function more efficiently and expeditiously due to the elimination of lesser criminal offenders from inclusion in the full criminal hearing process. Additionally, OCJP will support two jurisdictions in exploration of the expanded use of intermediate sanctions.

Disrupting the drug market: Criminal Justice Records Improvement

Third among Tennessee's priorities for addressing national Strategy III is improving criminal justice records through the development and increased use of technology that enables agencies to share criminal justice information through criminal justice system integration and improvement.

Tennessee has historically had few sources of sound criminal justice records information and has lacked adequate means to accomplish a statewide improvement of the criminal justice record system. Prior to 1998 the state's capability to implement an efficient, cost-effective system of collecting and storing criminal justice information did not exist. A primary concern of the criminal justice community has been Criminal History Records Information (CHRI).

In order to improve the accuracy, timeliness, and completeness of criminal history information maintained by the Tennessee Bureau of Investigation (TBI), during the last strategic planning period Tennessee began an extensive exercise to develop a comprehensive system. The priority was, in collaboration with all law enforcement and most of the criminal justice agencies in the state, to improve the collection capabilities of the law enforcement agencies. The state had to develop methods of increasing the rate of data submission and quality of criminal fingerprint cards; and it had to upgrade the central Automatic Fingerprint Information System (AFIS), as well as the regional AFIS' and the central criminal history information center computer system. The plan also included the establishment of a system that allowed the interface of all law enforcement agencies, courts, prosecutors, and correctional institutions with the central repository to improve the timeliness, accuracy, and ease of access to data. Projects funded through this program complemented activities undertaken with the National Criminal History Records Improvement Plan (NCHIP) Grants.

The Criminal Justice Records Improvement Task Force multi-year plans have resulted in significant progress at reversing this historical condition. However, today the priority is on continuing the progress. The spectrum of uses of CHRI data continues to widen, thereby compounding the need to improve the quality of these records, and accordingly, to provide the training needed to achieve this goal. Continuing the hard work of integrating Criminal Justice Information Systems (CJIS) remains part of OCJP's action agenda for this multi-year strategy.

Tennessee has established as its primary goal for criminal justice records improvement to improve criminal justice records through the development of increased use of technology. Objectives supporting this goal include the improvement of the quality of arrest, disposition, and general crime data information reported in the state repositories, increasing the quality of state criminal history records arrest and disposition information through more thorough information reported to the state criminal history repository, the development of a statewide automated digitized booking system with all sheriff and police departments and the Tennessee Bureau of Investigation (TBI), and the establishment of a reporting system compatible with the TBI and FBI. OCJP also hopes to enhance collaboration among agencies for funding criminal justice information systems technology in the city, county, district, and state levels.

The program must provide training for law enforcement personnel on compliance with TIBRS reporting requirements, the initiation of a system of quality control, the provision of funds to local law enforcement for computers, software, and related technology, and central repository certification. The state has made progress in building a multi-level and integrated criminal justice information infrastructure in Tennessee. We have increased system and component effectiveness, but Tennessee is by no means finished. With the foundation that Tennessee's certified TIBRS program provides, we are poised to address the next level of enhancements.

The Office of Criminal Justice Programs (OCJP) intends to continue funding training on fingerprinting, AFIS operations, and criminal history records for each of the Criminal Investigator classes at the Tennessee Law Enforcement Training Academy. Training must also be offered to the Tennessee Department of Correction and the Tennessee Department of Commerce and Insurance to improve the quality and accuracy of fingerprint submissions to the Tennessee Bureau of Investigation. Another priority is completing the statewide digitized booking system with all sheriff and police departments and the Tennessee Bureau of Investigation, and the central Tennessee Incident Based Reporting System (TIBRS) repository. Additional funds will be appropriated to local law enforcement agencies so that needed equipment may be purchased to ensure compliance with TIBRS reporting requirements and facilitate information sharing.

Chapter

5 Selected Programs

Introduction

The array of Byrne grant priority areas remains the same for the upcoming four-year planning cycle. Our process indicates the continued need for attention to offender apprehension, court support, offender rehabilitation, victim advocacy, community-based services and criminal justice records improvement. The process has also suggested the need for eliminating two program responses from the 2000-2003 Multi-Year Statewide Strategy for the Byrne program in Tennessee: response to gang activity and prison/jail industries were our two smallest programs and the data suggest they are no longer priorities.

In the pages that follow OCJP presents the eight Program Responses established by our analysis of the Tennessee needs data and the federal priorities. Figure 14 below summarizes the eight Program Responses with information about the appropriate Byrne Priority and Purpose Areas. The narratives that follow the table provide detailed information using the federal guidelines for the contents of Chapter 5, including the Program's name, its BJA approval date, its connection to the national drug control priorities, a description, its performance measures and evaluation information.

Figure 14. Summary of Program Responses by Byrne Priority & Purpose, with Numbers of Projects

SIX (6) PRIORITY AREAS	EIGHT (8) PROGRAM RESPONSES	NUMBER OF PROJECTS	APPLICABLE Byrne PURPOSE AREAS
1. Offender apprehension	1. Multi-jurisdictional Drug & Violent Crime Task Forces	29	#2
2. Court support	2. Pre-trial Service Delivery	18	#10
	3. Special Prosecution	7	#10
3. Offender rehabilitation	4. Correctional Treatment	14	#11
4. Victim advocacy	5. Domestic & Family Violence Training	2	#18
	6. Victim Witness Program	2	#14
5. Community-based services	7. Community Crime Prevention	18	#4
6. CJ Records Improvement	8. Criminal Justice Information Systems	16	#15B

PROGRAM DESCRIPTIONS

1. Multi-Jurisdictional Drug and Violent Crime Task Forces

Approval by BJA: 1998

Identified National Priority: National Drug Control Strategy (“Disrupting the Drug Market”)

Byrne Purpose Area: #2. Multi-jurisdictional task force programs that integrate Federal, State and/or local drug law enforcement agencies and prosecutors for the purpose of enhancing inter-agency coordination and intelligence and facilitating multi-jurisdictional investigations.

Program Description: The creations of Judicial District Drug and Violent Crime Task Forces under Tennessee Code Annotated (T.C.A.) 8-7-110 has resulted in improved collaboration, written inter-agency agreements, pooling of resources including personnel and equipment, and a better system of addressing drug issues using a team concept. These task forces are formed under each Judicial District Attorney General and include a Board of Directors or Advisory Board that represents each participating agency.

These Judicial District Drug and Violent Crime Task Forces along with State Departments and Agencies conduct covert and overt operations to solve violent crime and disrupt drug trafficking. Covert drug operations target upper level drug dealers and overt operations involving the Department of Safety and Task Forces intercept the drugs while in transport. Intercepting these shipments often leads to controlled deliveries in Tennessee and other states that assist in mapping out the drug routes.

Performance Measures:

- Number of suspects arrested;
- Number of defendants prosecuted;
- Number of drug seizures;
- Quantity of drugs seized by weight and type;
- Value of property and/or cash seized and forfeited;
- Number of agencies participating;
- Number of investigations initiated;
- Number of Methamphetamine labs taken down;
- Number of public service meetings/classes held.

Evaluation Target Date: Future Strategy as Required.

2. Pre-trial Service Delivery

Approval by BJA: 1998

Identified National Priority: National Drug Control Strategy (“Disrupting the Drug Market”) and (“Healing America’s Drug Users”)

Byrne Purpose Area : #10 Improving the operational effectiveness of the court process by expanding prosecutorial, defender and judicial resources and implementing court delay reduction programs.

Program Description: Projects funded in this program area will be specifically designed to identify and divert less serious offenders into alternative resources without the necessity of taking them through the complete criminal justice process or otherwise provide resources that enable the court system to function more effectively and efficiently. The intention is to give more attention to the serious cases and to offer effective alternatives to traditional incarceration that will change the criminal behavior of the drug abuser.

This program focuses primarily on standard offenders who face conviction of drug or drug-related offenses, which do not involve the overt use of weapons. Prosecutors or Public Defenders refer eligible offenders for initial screening and possible acceptance in the program. Once accepted into the program plans are developed to offer a meaningful option between prison and probation. These individual sentencing plans are intended to be both punitive and rehabilitative. They may incorporate such elements as third party supervision, employment, community service work, basic education, drug and/or alcohol abuse screening and treatment, mental health care and medical treatment components and restitution payment.

Performance Measures:

- Number of additional defense and other judicial personnel hired;
- Number of cases diverted from the traditional judicial process to diversion programs;
- Number of offenders who successfully complete the specialized diversion programs;
- A reduction in recidivism for those successfully completing the program.

Evaluation Target Date: Future Strategy as Required.

3. Special Prosecution Services

Approval by BJA: 1998

Identified National Priority: National Drug Control Strategy (“Disrupting the Drug Market”)

Byrne Purpose Area : #10 Improving the operational effectiveness of the court process by expanding prosecutorial, defender and judicial resources and implementing court delay reduction programs.

Description: The Special Prosecution program provides funding for the provision, training, and support of prosecutors whose work is dedicated to the prosecution of defendants implicated in child abuse, domestic violence cases or drug possession/distribution/cultivation. Prosecutors attend specialized training and workshops designed to improve their knowledge in assigned areas. They oversee all child and domestic violence cases, and most drug and violent crime cases coming into the criminal courts. At all levels of the justice process, other assistant prosecutors provide assistance in case resolution through the direction of the lead prosecutor. Vertical prosecution of child/domestic violence abuse and drug-related cases ensures strict, consistent prosecution, thereby increasing conviction rates and appropriate sentencing.

Performance Measures:

- Number of additional prosecutors hired;
- Number of cases handled by the special prosecutors;
- Number of cases successfully prosecuted;
- An increase in training workshops for prosecutors;
- A decrease in the amount of time between arrest and disposition.

Evaluation Target Date: Future Strategy as Required.

4. Correctional Treatment

Approval by BJA: 1998

Identified National Priority: National Drug Control Strategy (“Healing America’s Drug Users”)

Byrne Purpose Area : #11 Programs designed to provide additional correctional resources and improve the corrections system, including treatment in prisons and jails, intensive supervision programs and long-range corrections and sentencing strategies.

Description: Projects funded in this program area will be substance abuse treatment projects that are designed to address treatment needs prohibited by statutory exclusions in the federal RSAT grant or be projects which could not be funded because of limited availability of RSAT funds. Additionally, it was determined that the use of substance abuse treatment grants, administered through the Byrne Memorial Fund, could be of maximum benefit in complementing activities and alternative services delivered through county jails and community corrections programs.

This program will create a continuum of care treatment approach for substance abuse offenders in state correctional facilities, county jails and community corrections. The program model will focus on the substance abuse problems of the offender by providing structured services that last between six and twelve months while the inmate is incarcerated and focus on the development of the offender’s cognitive, behavioral, social, and vocational skills to solve the substance abuse and related problems experienced by most offenders. Of particular focus will be the development of an aftercare component of the continuum. Aftercare will be available to the offender who has completed the treatment phase of the continuum and has left incarceration. It will be provided in the community for approximately nine to eighteen months following release and provide a range of services including continued group and individual counseling, drug testing and support activities for the offender and their families.

Performance Measures:

- Number of offenders in prison/jail/community based programs;
- Number of prison/jail/community based programs;
- Number of successful program completions for prison/jail/community based programs;
- Number of offenders participating in classes other than traditional A&D classes;
- Number of negative drug screens;
- Recidivism rate for program participants.

Evaluation Target Date: Future Strategy as Required.

5. Domestic/Family Violence Training Program

Approval by BJA: 1998

Identified National Priority: National Drug Control Strategy (“Stopping Drug Use Before It Starts”)

Byrne Purpose Area: #18 Improving the criminal and juvenile justice system’s response to domestic and family violence, including spouse abuse, child abuse and abuse of the elderly.

Description: Projects funded in this area will provide training for law enforcement in the investigation of family/domestic violence including sexual assault; provide training for prosecutors in the unique dynamics of family/domestic violence cases and the successful prosecution of these cases, including sexual assault; provide training for victim/witness coordinators who will specialize in cases involving family/domestic violence and crimes of violence; and provide requisite training for the investigation and prosecution of the crimes of family/domestic violence and sexual assault.

Performance Measures:

- Number of criminal and juvenile criminal justice practitioners receiving training in domestic/family violence intervention;
- Number of suspects arrested;
- Number of defendants prosecuted;
- Number of offenders completing domestic/family violence education and/or treatment programs;
- Number of victims referred for assistance by age and gender;
- An increase in practitioner’s knowledge of family/domestic violence.

Evaluation Target Date: Future Strategy as Required.

6. Victim/Witness Program

Approval by BJA: 1998

Identified National Priority: National Drug Control Strategy (“Stopping Drug Use Before It Starts”)

Byrne Purpose Area: #14 Developing and implementing programs which provide assistance to jurors and witnesses and assistance (other than compensation) to victims of crime

Description: The Victim/Witness program is designed to focus on providing victims of crime with services set out in the Crime Victims’ Bill of Rights. Throughout the investigative, prosecution and correctional stages of criminal cases, victims and witnesses are properly notified and given information in a timely manner. Crime victims receive uniform rather than fragmented, disjointed treatment. Competent, trained victim/witness coordinators provide services as part of a prosecution team, assisting in informing the victim about procedures, court dates, crisis intervention, support services and appropriate referrals. The victim/witness

may receive protection against threat, harm or intimidation. They are notified of the arrest of an offender, pre-trial release of an offender, the filing of charges or dismissal of any or all charges, the scheduling of court procedures, the terms of negotiated guilty pleas or the rendering of a verdict, all sentencing dates and parole eligibility dates. They are advised of the opportunity to present to the court a victim impact statement concerning any financial, social, psychological or physical harm or loss suffered by the victim.

Performance Measures:

- Number of victims assisted;
- Number of jurors assisted;
- Number of witnesses assisted;
- Increase victim recognition of their legal rights;
- Increase victim participation in the court and prosecution process;
- Increase victim knowledge on how to access available resources;
- Increase victims' report that the support of the victim witness coordinator helped them to cope;
- Victims/witness' express satisfaction with services of the program;
- Collaborative agencies report improved working relationships with victim services agencies.

Evaluation Target Date: Estimated completion date for this priority is within this strategy period.

7. Community Crime Prevention

Approval by BJA: 1998

Identified National Priority: National Drug Control Strategy ("Disrupting the Drug Market") and ("Stopping Drug Use Before It Starts")

Byrne Purpose Area: #4 Providing community and neighborhood programs that assist citizens in preventing and controlling crime, including special programs that address the problems of crimes committed against the elderly and special programs for rural jurisdictions.

Description: The projects funded in this program area seek to develop and empower community partnerships through enhanced police leadership, and the establishment of projects that implement high quality police services. These projects increase community awareness and access to educational, social and crime prevention programs for youth as well as adults. Strategies include community policing initiatives and a variety of crime prevention programs. The partnership concept is central to the effective implementation of this program, designed to enable citizens to regain control of, or "take back" their neighborhoods.

Performance Measures:

- Number of citizens involved in the programs;
- Number of juveniles served by the programs;
- Number of elderly served by the programs;

- Number of these programs based in rural jurisdictions;
- Number of public meetings held;
- Number of events carried out;
- Reduction in crime for areas affected.

Evaluation Target Date: Future Strategy as Required.

8. Criminal Justice Information Systems

Approval by BJA: 1998

Identified National Priority: National Drug Control Strategy (“Disrupting the Drug Market”)

Byrne Purpose Area: #15B Criminal justice information systems to assist law enforcement, prosecution, courts and corrections organizations (including automated fingerprint identification systems).

Description: The State of Tennessee, in an effort to improve the accuracy, timeliness, and completeness of criminal history information maintained in the repository of the Tennessee Bureau of Investigation (TBI), has undertaken an extensive exercise to develop a comprehensive system in collaboration with all law enforcement and most of the criminal justice agencies in the state. Through collaborative funding with the National Criminal History Improvement Program (NCHIP) grant and the Edward Byrne Memorial Grant, Tennessee established and implemented the Tennessee Incident Based Reporting System (TIBRS). The TIBRS system was designed to establish within the Tennessee Bureau of Investigation a central repository for criminal history records information. This program was certified by the Federal Bureau of Investigation (FBI) as compliant with the National Incident Based Reporting System (NIBRS) in 1998. A combination of state-appropriated funds, NCHIP funds, and Byrne funds have been used to purchase equipment for local law enforcement agencies to enable them to comply with TIBRS submission and certification. Additionally, training was provided to over 1500 law enforcement personnel last year regarding the TIBRS system and elements of reporting compliance.

Performance Measures:

- Number of records automated;
- Number of new records management systems installed;
- Submission rate of TIBRS/NIBRS data from state and local agencies.

Evaluation Target Date: Future Strategy as Required.

Evaluation Strategy

The Office of Criminal Justice Systems has continued to conduct a series of technical assistance sessions for VOCA and STOP sub-recipients designed to build internal evaluation capacity and to develop evaluation models that OCJP can transfer to apprehension and prosecution practitioners. For example, in FY 2001-2002 OCJP trained approximately 60 additional staff in domestic violence specialist projects, including the staffs of a number of local law enforcement domestic violence units and those of 37 victim witness assistance projects managed by the state’s District

Attorneys' General Conference. (The drug court projects used a similar approach to define outcome measures, collect and report the data to OCJP.) During the current fiscal year we also plan to train the state's program accountability auditors, PAR, in the characteristics of effective performance data and outcomes, so as to build evaluation sensitivity into PAR's grants monitoring efforts. A major accomplishment of the last Strategy period was the completion of the independent evaluation that was conducted for the Tennessee Multi-Jurisdictional Drug and Violent Crime Task Forces. That evaluation, secured through a BJA Evaluation Partnership Grant, established a set of recommendations for improving task force processes. OCJP is working on developing performance measures that respond to those recommendations, which will become standardized over the years for measuring the effectiveness of Task Force operations. Refer to Appendix C for details on OCJP's evaluation strategy.

Figure 15. Tennessee's Byrne Program Summary Outcome Grid

Program Title	# of Projects	Purpose Area	Evaluators	Intended Outcomes/ Goals	Evaluation Methodology
Multi-Jurisdictional Drug & Violent Crime Task Forces	29	2	OCJP, Self Evaluation	Minimize violent crime and the use, production, and transportation of illegal drugs via integration of federal, state, and local drug enforcement agencies and prosecutors.	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Correctional Treatment	14	11	OCJP, Self Evaluation	Reduce recidivism by treating adult and juvenile substance abusers	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Domestic/Family Violence Training Programs	2	18	OCJP	Educate community in the area of domestic & family violence, including abuse of children & the elderly.	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Community Crime Prevention	18	4	OCJP	Reduce the incidence of crime in the community by supplementing the local law enforcement with additional officers and equipment.	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Criminal Justice Information Systems	16	15B	OCJP, TBI, Self Evaluation	Equip, collect, & submit, criminal history records to the TBI on a timely and accurate basis.	Annual Self Evaluation Reports, TBI Statistics, On-site program & fiscal monitoring
Pre-Trial Service Delivery	18	10	OCJP	Expediting violent crime & drug cases by the use of attorneys specifically assigned to screen and prioritize adjudication efforts.	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Victim/Witness Program	2	14	OCJP (possibly external evaluator before 2008)	Provide support and assistance to witnesses and jurors experiencing stress or needing protection or assurance.	Annual Self Evaluation Reports, On-site program & fiscal monitoring; Possible external program evaluation project '08.
Special Prosecution	7	10	OCJP	Expedite adjudication of violent crime and drug cases by facilitating the assignment of specialized prosecutors.	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Total	106				

6 Coordination Efforts

In Tennessee the vast majority of criminal justice dollars continue to be raised from local taxes and spent on local and state criminal justice priorities and problems. Crimes are committed locally, and that is where offenders are apprehended, defendants tried, sentences determined and carried out, and where services are provided. The mistakes are also made locally, and that is where lessons are learned and adjustments are made to improve the system's performance. Local voters hold elected and appointed officials accountable – collectively and individually – for the jobs they do. Because the Statewide Strategy serves as the blueprint for all coordinated drug and violent crime control efforts in the State, it is imperative that the State utilizes a strategic planning process that reflects the perspectives of these practitioners. It must be as inclusive as possible.

Tennessee OCJP has developed a sophisticated on-going process for involving state and local officials in criminal justice planning. The problems and needs OCJP gathers from these and other sources are translated into priorities for action, which are later linked to one or more of Tennessee's grant program areas. That process has been described in detail in Appendix B. Suffice it to say here that OCJP has regular and frequent communication with the Tennessee associations and professional organizations representing various components of the criminal justice system. These contacts provide an important source of data and feedback for the planning process. Much of the information on problems and needs contained in Chapter 2 comes from OCJP's direct linkages with criminal justice system practitioners.

State and Local Participation in Strategy Development

OCJP believes that state and local participation are the backbone of the strategy development process. This Strategy results from ongoing efforts to utilize the expertise of practitioners in all components of the criminal justice system at the local and state levels, because OCJP believes that the leaders of our local, county and state criminal justice agencies know more about the needs, directions, threats, opportunities, and weaknesses of these operations than anyone else. Sheriffs, police officers, prosecutors, public defenders, personnel from the courts, probation, jail, corrections, parole, treatment/service providers, victim services agencies and all the allied criminal justice agencies also know what to do about those conditions.

OCJP's Strategic Planning Partners

OCJP considers these organizations and the professionals they represent as its partners in planning. They include the Tennessee District Attorneys General Conference, the Sheriff's Association, the Police Chief's Association, Tennessee Narcotics Officer's Association, the Administrative Office of the Court, the District Public Defenders Conference and others. At the state level our partners include the Tennessee Bureau of Investigation, the Alcoholic Beverage Commission, the state departments of Health, Correction, Children's Services, Mental Health and Mental Retardation, and the Board of Probation and Parole. All provide input directly to the Of-

fice of Criminal Justice Programs. (Appendix A elaborates on the composition of the justice system in Tennessee.)

A major part of the law enforcement and prosecution community enjoys organized input through participation in regular quarterly meetings OCJP holds with the multi-jurisdictional drug and violent crime task forces. The Office of Criminal Justice Programs has hosted local meetings for District Attorneys General, Drug and Violent Crime Task Force Directors, and staff from the Tennessee Bureau of Investigation, and the Tennessee Department of Safety. These meetings focus on problems, issues and concerns related to system improvement, such as how these agencies can work together through information sharing, improved communication, and evaluation efforts. Several subgroups also meet on detailed issues throughout the year. Participants form sub-groups as needed to address issues regarding the sharing of intelligence information, the status of drug investigative processes statewide, statutory reforms, highway interdiction efforts, juvenile code reforms, and drug task force interfaces. These meetings provide an “informal” but intense source of detailed input on the problems facing the justice system and possible future directions. OCJP grants managers are accountable for recording the data and their observations, and for quarterly meetings to compare notes and draw conclusions about trends among their grant sub-recipients.

OCJP also records data from frequent face-to-face contact grants managers have with grant sub-recipients. That contact always serves as a source of data regarding problems, priorities, and programs. Some examples of routine contact would include the Integrated Criminal Justice Information System advisory group; the Tennessee Drug Court Association, and the victims’ services groups. Public gatherings of different types are used to gather information on community needs and concerns as the situation dictates. In addition to voices from the community, local law enforcement personnel, local prosecutors, defense attorneys and public defenders and members of the judiciary also have a voice. On occasion surveys have been sent to other criminal justice experts to determine the needs and priorities of the broader criminal justice community. State departments and agencies involved in the criminal justice system are encouraged to submit plans that depict their own problems, issues, needs, gaps, and possible program/project responses.

OCJP’s Other Planning Partners

To ensure a broad range of views and expertise are reflected in our work and the strategic plan, OCJP regularly organizes advisory and work groups, consisting of staff, criminal justice officials, researchers, and other experts, to address specific problems, topics, or needs. Several topic-specific advisory groups are sponsored by OCJP. They meet on an on-going basis, and they provide much-needed input into the overall strategic planning process. These groups include these four:

VOCA (Victims of Crime Act) Resource Planning Group: This ad hoc work group was constituted and convened by OCJP to advise on uses of future VOCA resources as a guide to OCJP’s planning process. The Resource Planning Group reflects the diversity of the agencies involved with domestic violence. It includes a cross-section of representatives from shelter programs, domestic violence and sexual assault centers, legal services, police, prosecutors, sheriffs, federal victim/witness coordinators, probation and parole administrators, juvenile court representatives and others. The group will continue to meet as needed.

Stop Violence Against Women Program Planning Group: The State of Tennessee has begun to develop a reputation for responding to violence against women in a coordinated fashion. Police and sheriffs' departments are taking issues relating to domestic violence and sexual assault more seriously. Legislators have enacted legislation addressing the rights of victims and strengthening anti-stalking laws. Several agencies are currently involved in efforts to reduce the incidence of violence against women. As a result of this statewide effort and the availability of Federal funding, the STOP Violence Against Women Planning Group was formed. The group meets quarterly to oversee management of the STOP Violence Against Women Program. The mission statement developed by the group is: To provide leadership, influence policy, coordinate efforts, and develop strategies, through statewide collaborative activities to prevent, reduce, and STOP violence against women in Tennessee. In fulfilling this mission, the diversity of the group has proven to be its greatest asset. Collaboration is now recognized as the key component in efforts to STOP Violence Against Women. As reflected in the membership's wide-ranging fields of expertise and interest, the solutions and suggestions offered cover a broad and innovative range. Participants not previously recognized and recruited for their efforts are being identified, and plans are being made to contact and recruit them. Both state and local government entities are working in partnership with domestic violence shelter and center directors, service providers, law enforcement, and prosecutors to plan mutually beneficial programs.

Victim Services Outcome Measurement Partnership: In addition to the work mentioned above, OCJP has engaged its STOP and VOCA grant sub-grantees in a facilitated process of building sub-recipient agencies' "logic models" and performance measurement. OCJP's strategy for project planning, performance measurement and evaluation is serving as the basis of our evaluation strategy with ALL OCJP sub-recipients, and will continue to do so over the next several years. (See Appendix C, OCJP's Evaluation Strategy.) Meanwhile, the administrators of thirty agencies that adopted measurement early and the state's coalition against domestic and sexual violence have become OCJP's co-facilitators of the approach with the remaining grant sub-recipients.

Criminal Justice Records Improvement Task Force: The Tennessee Bureau of Investigation (TBI) began laying the groundwork for a statewide reporting program in October 1992. In 1993 meetings occurred with representatives of local law enforcement agencies across the state to design a system that would meet the needs of law enforcement in Tennessee, as well as the FBI reporting requirements. TBI began implementing the TIBRS program in July 1995 using an Edward Byrne Memorial Grant awarded by the Office of Criminal Justice Programs. That grant supported the Criminal Justice Records Improvement Task Force, which represents law enforcement across the state; it planned for implementation of TIBRS. The Director of the Tennessee Bureau of Investigation, who has overseen the development and execution of the Criminal Justice Records Improvement Plan, chairs the Task Force. The Tennessee Incident Based Reporting System (TIBRS), was certified by the FBI as compliant with their standards in July 1998, making Tennessee only the twelfth state to receive this certification. TBI's TIBRS program was recognized in 2000 by the FBI as an official state National Incident Based Reporting System. With this recognition and the level of reporting, the

TIBRS implementation program has achieved its original goals and Tennessee is now in compliance for the first time in twenty years.

Drug Court Advisory Committee: The Drug Court Treatment Act of 2003 establishes an Advisory Committee to be composed of five (5) members to review all program criteria for drug courts, established by the Office of Criminal Justice Programs, and advise the Commissioner as to the allocation of funds under the act. This committee convenes on a quarterly basis or more frequently as needed.

Drug Task Force Steering Committee: This committee is comprised of one or two drug task force directors from each of the three grand divisions, the TBI/drug task force liaison and members of OCJP. The group meets on an as needed basis to discuss and plan around drug task force issues. Examples of current issues include drug roundups and uniform standard operating procedures.

Federal Participation in Strategy Development

Federal participation in state and local law enforcement no longer means merely supplying money and the policy attached to it. Federal participants have become significant suppliers of expertise to state and local governments. OCJP considers it both desirable and important for all concerned to have federal participation in the strategy development process through the input of U.S. Attorneys or their designees. U.S. Attorneys for the western, middle, and eastern districts of Tennessee are notified of meetings of OCJP's Criminal Justice Executive Advisory Committee, especially when the strategy is being finalized. OCJP also makes a special effort to include appropriate representatives on a special topic work or advisory groups that may be of particular interest to United States Attorneys or where their expertise may be most in need. During the course of each year, OCJP works with the USA Offices to sponsor training such as the "Victims of Crime Conference," the Methamphetamine Conference" and another two-day training course on methamphetamine. OCJP will continue to make the process for providing that input as efficient and flexible as possible. Moreover, OCJP will continue to take advantage of the information sharing opportunities offered through the meetings of the Law Enforcement Coordinating Councils (LECCs) of each of the U.S. Attorney's Offices in Tennessee.

The most readily addressable portion of our collaborative agenda is the set of concrete problems and the specific objectives and tasks we share across agency boundaries. For example, intelligence developed as a by-product of a Byrne-supported local multi-jurisdictional task force becomes knowledge that feeds an Organized Crime and Drug Enforcement Task Force (OCDETF) effort involving money laundering, gangs, or public corruption. However, much of the state criminal justice planning agenda is limited to state and local concerns, which are not generally of great interest to U.S. Attorneys. The challenge for OCJP is to make it worthwhile and relevant for them.

To ensure that Tennessee's 2004 - 2007 Multi-Year Statewide Strategy for Drug Control, Violence Prevention and Criminal Justice System Improvement works hand in hand with the priorities and objectives for national drug control set by the Office of National Drug Control

Policy, the Office of Criminal Justice Programs has assessed the national priorities set by the National Drug Control Strategy of February 2003. Tennessee has aligned its statewide strategy to support and complement the relevant goals of the current National Drug Control Strategy. (See Chapter 4, Priority Issues and National Drug Control Strategy.)

Coordination among Federally-Funded Programs

Tennessee is pleased to continue working with the federal administration on program development, operation and planning matters. OCJP's many federal programs place it in a good position to coordinate Byrne-funded programs with other federally funded programs in Tennessee, particularly those supporting state and local drug abuse treatment, education and prevention. This coordination continues to help us achieve important objectives not always possible with just one source of funding. This coordination extends to programs as diverse as the Local Law Enforcement Block Grants, the Stop Violence against Women Program, the Residential Substance Abuse Treatment Program for State Prisoners (RSAT) Grant, the Integrated Criminal Justice Systems grant and the Criminal History Records Improvement Program. In addition to our coordination of Department of Justice programs, we coordinate with state-supported programs such as the Safe Neighborhoods Program, the Sexual Assault Fund and the State Drug Court Treatment Program. Coordination also occurs with other agencies and their grant programs, including the Children's Justice Act and the Juvenile Justice Accountability Act. Tennessee's continued support for the National Drug Control Policy's priorities is accomplished in part because of the availability of a multi-faceted enforcement-treatment strategy supported under OCJP's umbrella.

Coordination of Byrne with Other Federal Justice Programs

The following Department of Justice Grant Programs are administered by OCJP in coordination with the Edward Byrne Memorial Grant Program:

Local Law Enforcement Block Grant: The Office of Criminal Justice Programs administers and coordinates the state share of the Local Law Enforcement Block Grant. The funds support drug agents and law enforcement information coordinators for TBI (the agents are co-located with two drug and violent crime task forces). They also provide for specialized drug task force training courses; they provide support for drug courts; and purchase selected equipment for criminal interdiction with the Department of Safety and local law enforcement agencies.

National Criminal History Records Improvement Program (NCHIP): The Office convenes the state level interagency Task Force, which leads the effort to improve the collection and reporting of criminal histories throughout Tennessee's criminal justice system. Projects funded through the NCHIP Grant are focused on updating and expanding uniform crime reporting and increasing the submission of fingerprints and dispositions from agencies in the field. The 5% set-aside in the Edward Byrne Grant supports this objective by providing funding for the Tennessee Incident Based Reporting System (TIBRS), the incident-based crime reporting system designed to complement criminal history records improvement projects funded through the NCHIP Grant.

Stop Violence Against Women Program: The STOP Violence against Women Program promotes a coordinated and integrated approach to improving the criminal justice system's response to violence against women. The approach supports more than 50 Tennessee grants among law enforcement, prosecution, the courts, victim advocates and service providers. The goal of the STOP Program is to encourage states and localities to restructure and strengthen the criminal justice system's response and to be proactive in addressing violence against women, drawing on the experience of all the participants in the system, including the advocacy community.

VAWA, VOCA and Family Violence Programs: Two Tennessee Programs funded through the Edward Byrne Memorial Grant (i.e., Domestic / Family Violence Training and Victim/Witness Program) are working collaboratively with other projects funded by OCJP through the VAWA Grant, the VOCA Grant, and the Department of Health and Human Services Family Violence Shelter Grant. Coordination ensures an effective continuum of prevention and intervention in the area of domestic violence. With combined funds of over ten million dollars, these grant programs are working together in Tennessee to ensure that effective domestic violence training and prevention programs are in place for law enforcement personnel, that victims receive the support services they need, that perpetrators of domestic violence are swiftly and effectively prosecuted, and that emergency residential services are available for immediate occupancy when domestic violence occurs. Other programs OCJP administers and coordinates are listed below.

Coordination with Programs for Drug Education, Treatment and Prevention

Residential Substance Abuse Treatment for State Prisoners: This program, also administered by OCJP, provides for substance abuse treatment for state prisoners with an emphasis on the under-served population of women inmates. These inmates are held in state and local correctional facilities. RSAT funds and Edward Byrne Memorial Grant funds are being used to establish a continuum of care for substance abuse treatment that includes assessment, outpatient care, inpatient care, and aftercare for a variety of offenders with a need for this type of intervention. Byrne funds are used to purchase substance abuse prevention, outpatient and aftercare services, while RSAT funds are used to address the needs of offenders requiring substance abuse treatment.

State Drug Court Program: The Drug Court Treatment Act was designed to facilitate the implementation and continuation of existing drug court treatment programs in Tennessee. The Act recognizes a need in the criminal justice system to reduce the incidence of drug use and abuse, drug addiction and crimes committed as a result of these offenses. The Office of Criminal Justice Programs administers the drug court treatment program by offering support, training, and technical assistance to drug courts as well as awarding, administering and evaluating drug court treatment grants.

Safe Neighborhood Act of 1988 (SAFE): The Tennessee Safe Neighborhoods Act makes available through OCJP \$7.5 million in state funds to assist local law enforcement agencies that are actively participating in or making application for the COPS Universal Hiring Program, which is administered through the U. S. Department of Justice. This SAFE funding

covers 10% of the total COPS grant, reducing the 25% match requirement from local agencies to 15%.

Coordination with Other Agencies and Federally Funded Programs

The Office of Criminal Justice Programs also actively pursues a cooperative, collaborative relationship with the following departments of Tennessee state government which receive federal funds for drug education, treatment and prevention:

- ***Administrative Office of the Courts*** – The Administrative Office of the Courts (AOC) provides support to the Tennessee Supreme Court and the entire Tennessee Court System. Duties of the office include preparing the court system’s annual budget; providing judicial education; maintaining law libraries, computers, other equipment; offering training and technical assistance and other administrative and support functions.
- ***Department of Health*** - The Department of Health plays a crucial role in Tennessee’s efforts to fight crime and delinquency in addition to its more traditional role of pursuing a broad public health agenda. As the agency of state government tasked with targeting substance abuse and chemical dependence, it directs an important part of Tennessee’s efforts to combat drug-related crime and delinquency through prevention efforts aimed at youth and adults. Treatment, intervention and rehabilitation services for thousands of Tennesseans are provided each year through out-patient and residential treatment facilities across the state. One program that OCJP coordinates with its victim-witness and domestic violence training programs is the Department’s grant with the Centers for Disease Control and Prevention for sexual assault education and prevention. OCJP is collaborating with the state’s Bureau of Health Services Violence Prevention Unit to train and support public health educators and rape crisis centers for effective measurement of prevention results in its statewide rape and sexual assault prevention projects.
- ***Department of Mental Health and Mental Retardation*** – The Tennessee Department of Mental Health and Mental Retardation is an important partner in facilitating reform within Tennessee’s criminal justice system. Important crossover issues such as the mentally ill in jails and prisons, and responding to underlying mental illness among drug and chemical abusers are examples of shared agendas. The department plays a leadership role in assuring that TennCare directed at mental health services plays an important part in addressing the problems of mentally ill people who reside in our criminal justice system.
- ***Department of Children’s Services*** - The Department of Children’s Services, created in 1996, consolidated all services to children formerly provided by multiple departments. While all the department’s services are important, those of particular interest to OCJP are programs for delinquent youth, probation, aftercare, treatment and rehabilitation programs for identified youth. OCJP also coordinates with the programs of the Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP) – i.e., the formula grant program, the challenge grant program and other programs – by interacting with Tennessee’s administering agency, the Tennessee Commission on Children and Youth. TCCY’s director is a member of OCJP’s Statewide Criminal Justice Execu-

tive Advisory Committee. In addition, members of the OCJP staff participate in Commission meetings, focus groups and training efforts.

- ***Department of Education*** - Collaboration with the Department of Education occurs around a number of issues, particularly school safety and drug, gang and violence- resistance training.
- ***Department of Human Services*** – The Department of Human Services is the state agency responsible for administering a variety of services throughout Tennessee, including Temporary Assistance for Needy Families (TANF), food stamps, Medicaid, Child Support Services, Child Care Services, Adult Protective Services, and Rehabilitation Services. There are areas of significant collaborative importance to criminal and juvenile justice collaboration and coordination. TANF is especially important to achieving goals of self-sufficiency and economic independence – often a critical barrier to resolving family violence situations.
- ***Commission on Children and Youth*** – The Tennessee Commission on Children and Youth (TCCY) was created in 1988. TCCY is an independent state agency that advocates for improvement in the quality of life for children and families; collects and disseminates information on children and families for the planning and coordination of policies, programs and services; administers the federal Juvenile Justice and Delinquency Prevention Act (JJDP) in Tennessee; and administers and distributes funding for teen pregnancy prevention programs.
- ***Tennessee Office of Homeland Security***: The Governor created the Office after the 9/11/01 tragedy, at the direction of President Bush and Attorney General Ashcroft. The mission of the office of Homeland Security is to develop and coordinate a comprehensive strategy to secure the State of Tennessee from terrorist threats and attacks, taking its lead from the National Office of Homeland Security. OCJP will coordinate with the Tennessee Office of Homeland Security while supporting this initiative in any way possible.

The following five state agencies and state-level criminal justice organizations are described in Appendix A on the Tennessee criminal justice system. Each of these bodies plays unique roles, including line operations and oversight functions, in addition to being recipients of OCJP grants.

- ***Tennessee Department of Safety***
- ***Tennessee Department of Correction***
- ***Tennessee Bureau of Investigation***
- ***Tennessee District Attorneys General Conference***
- ***Tennessee Public Defender's Conference***

All of these departments and agencies are members of the statewide Executive Criminal Justice Advisory Committee. OCJP staff participates in kind with similar planning bodies sponsored by our partners. Information sharing, networking, joint planning and evaluation are some of the ways that agencies coordinate the federally funded program efforts. Concerted efforts are made each year to coordinate availability of grant moneys to local and state entities from these sources to reduce duplication and fragmentation.

Advisory or Policy Board as a Vehicle for Coordination

Statewide Executive Criminal Justice Advisory Committee

The Office of Criminal Justice Programs utilized its statewide Executive Criminal Justice Advisory Committee to provide input for the Byrne Multi-Year Strategy development process. Representatives include members from those state departments who have the highest interface with the criminal justice system, as well as representatives from the broader professional criminal justice community. Those agencies and organizations that participate are listed in Figure 15 below and explained in detail in Appendix A.

Figure 15. Statewide Executive Criminal Justice Advisory Committee

TN Administrative Office of the Courts	TN Department of Safety
TN Alcoholic Beverage Commission	TN District Attorneys General Conference
TN Association of Chiefs of Police	TN Military Department
TN Association of Legal Services	TN Narcotics Officer's Association
TN Attorney General's Office	TN Public Defenders Conference
TN Board of Probation and Parole	TN Sheriffs' Association
Tennessee Bureau of Investigation	TN Supreme Court
TN Commission on Children & Youth	TN Coalition Against Domestic & Sexual Violence
TN Department of Children's Services	TN Dept. Mental Health and Mental Retardation
TN Department of Correction	U. S. Drug Enforcement Administration
TN Department of Education	U. S. Federal Bureau of Investigation
TN Dept. of Finance & Administration	U. S. Attorney's Office – East, Middle, West Tennessee
TN Department of Health	U. S. Bureau of Alcohol, Tobacco & Firearms
TN Department of Human Services	

The Executive Criminal Justice Advisory Committee is a large body, which complies fully with the BJA guidance on composition. Although the Executive Committee is advisory in nature it offers substantial, invaluable information to the process. The Executive Committee advises on the comprehensive strategy development process, with support from OCJP staff. It is the role of the committee to make program recommendations. However, final decisions to fund or not fund individual projects covered under an existing BJA-approved program remain the responsibility of OCJP.

Our strategic planning process, which engages all the components of the system in Tennessee, is explained in more detail in Appendix B.

Appendices A, B, and C

Appendix A describes the criminal justice system in Tennessee. Appendix B explains the system Tennessee Office of Criminal Justice Programs uses for strategically planning and managing the state's criminal justice grants. Appendix C summarizes the evaluation strategy we have developed for managing these grants.

Appendix A: The Criminal Justice System in Tennessee

The Tennessee criminal justice system operates with the cooperation of several different organizations and branches of government. The majority operate at the local level. The various components of the system include law enforcement, the court system (the judiciary, prosecution, public and private defenders), jails, corrections, probation and parole, prevention, treatment providers and victims' services agencies.

Components of the Tennessee Criminal Justice System

Local Law Enforcement: The initial response of the criminal justice system begins with law enforcement. Currently there are 320 municipal police departments, 95 county-elected sheriffs and sheriffs departments, as well as state level law enforcement agencies throughout Tennessee. Sheriffs' offices provide law enforcement to many unincorporated and numerous rural parts of the state. Beyond the role of providing law enforcement to significant portions of the state, Sheriffs also administer Tennessee's county jail system, which houses more than 20,000 inmates. Other important functions of the Sheriffs include court security and delivery of civil process.

Prosecution: In Tennessee each of the state's 31 judicial districts is represented by a **district attorney general** (DAG) elected for a term of eight years. The district DAGs are responsible for the prosecution of criminal cases on behalf of the state. Two hundred fifteen (215) assistant district attorneys general assist these chief prosecutors, with the support of one-hundred-ten (110) criminal investigators, fifty-two victim witness coordinators and assistants, and sixty-eight (68) support personnel. The **Tennessee District Attorneys General Conference** was created by the General Assembly in 1961 to provide for a more prompt and efficient administration of justice in the courts of the state. The conference is comprised of district attorneys general from the state's 31 judicial districts. In 25 of the 31 judicial districts, the District Attorney General oversees a Judicial District Drug and Violent Crime Task Force. **Tennessee's Multi-Jurisdictional Drug and Violent Crime Task Forces** were created in the late 1980's as a direct response to the federal enactment of the anti-drug abuse acts of 1986 and 1988. They are supported by grants from the Byrne Grant, fines and penalties, and assets forfeiture monies. The model for the Task Force structure followed in Tennessee closely adheres to the structure promoted at the federal level. The Task Force structure promotes an improved response to drug trafficking and drug-related crimes by facilitating the integration of previously fragmented law enforcement services. Through the use of a mutual aid agreement single local law enforcement agencies can pool resources with other law enforcement agencies and work more effectively with federal agencies and other segments of the criminal justice system.

Public Defense: Tennessee's **public defenders** represent indigent persons accused of crime. There are twenty-nine district public defenders in Tennessee and two local public defenders – in Shelby and Davidson Counties (Memphis and Nashville). District public defenders are elected by the citizens of their judicial districts and serve eight-year terms. Public defenders and their assistants are licensed attorneys, duly admitted to practice law before the courts of Tennessee. If a person is charged with a crime that carries a possible jail sentence, and he or she cannot afford an attorney, one will be appointed by the court. In most cases, it will be the local public defender. Criminal investigators are also an important part of the public defender team. Investigators assist the lawyers in analyzing evidence and preparing the case for trial. The Public Defenders Conference employs 31 district public defenders, 112 assistant public defenders, 57 criminal investigators, and 68 administrative personnel. The Executive Director coordinates activities of public defender offices across the State and acts as liaison for the Conference among the other branches and divisions of state government.

The **Tennessee Bureau of Investigation** (TBI) is an independent agency of state government. TBI is accountable to the District Attorneys General and to the Judiciary for its performance of services, and to the Executive and Legislative branches for its support functions. The TBI has the statutory authority to investigate any criminal violation upon the request of the District Attorney General for that judicial district. Moreover, the TBI has original jurisdiction over violations of narcotics laws, fugitive investigations, organized crime, public corruption, official misconduct, Medicaid/TennCare fraud and patient abuse in any Medicaid-receiving facility. The TBI assists local law enforcement agencies with investigations at their request and also cooperates with federal law enforcement agencies on joint investigations. TBI also provides support services for local law enforcement agencies, such as forensic crime lab services and information systems that provide statewide access to a wide variety of crime information.

The **Tennessee Department of Safety** also operates at the state level. Tennessee's first State Police Force was created in 1919, and patterned after the historic Texas Rangers. A decade later Governor Henry Horton created the Tennessee Highway Patrol, as an offshoot of the State Police Force. The department itself was established by the General Assembly in 1939. TDS has experienced significant development since then. Today, the department and its highly trained state troopers and enforcement officers are responsible for safety on more than 15,000 miles of state and federal highways.

The **Tennessee Supreme Court** is the state's highest court, and the court of last resort. The five Supreme Court justices hear appeals of decisions from other courts and interpret the laws and Constitutions of Tennessee and the United States. Justices are elected on a "yes-no" vote every eight years. Under the revised "Missouri Plan," known here as the "Tennessee Plan," the justices represent each of the state's three grand divisions. By constitutional mandate, the court meets in Knoxville, Nashville and Jackson. The Supreme Court has jurisdiction to review civil and criminal cases appealed from lower courts. Appeals are granted or denied at the discretion of the justices, except in capital punishment cases, where appeals are automatic. The Appellate Court Improvements Act expanded the state Supreme Court's jurisdiction in 1992. Under the act, the state's high court may assume jurisdiction over undecided cases in the Court of Appeals or Court of Criminal Appeals when there is special need for an expedited decision. The Supreme Court also has jurisdiction in cases involving state taxes, the right to hold public office or issues of constitutional law. Attorneys present arguments before the Supreme Court. Unlike trials in lower courts, there are no witnesses, juries or testimony. After justices have heard oral arguments and

reviewed attorneys' written briefs, they issue written opinions. Tennessee Supreme Court opinions can be appealed only to the federal courts, which may or may not agree to consider an appeal.

Intermediate Appellate Courts: The 12-member *Court of Appeals* hears most appeals of civil (i.e., non-criminal) cases from lower courts. All final decisions of the Court of Appeals may be appealed to the Tennessee Supreme Court. The Court of Appeals meets in Knoxville, Nashville and Jackson, sitting in panels of three judges. Court of Appeals judges are selected under the Tennessee version of the "Missouri Plan." When a vacancy occurs on the Court of Appeals, the 15-member Judicial Selection Commission recommends three candidates from the grand division of the state in which the vacancy exists. The governor appoints a new judge from the list of three candidates. Court of Appeals judges run on a "yes-no" ballot every eight years. Voters decide to retain or reject the judges, who run unopposed.

The *Court of Criminal Appeals* hears trial court appeals in felony and misdemeanor criminal cases. The twelve Court of Criminal Appeals judges also are selected under Tennessee's version of the Missouri Plan. Panels of three judges sit monthly in Jackson, Knoxville and Nashville to hear cases. As with the Court of Appeals, the Court of Criminal Appeals meets at other places and times as necessary. Also like the Court of Appeals, the Court of Criminal Appeals does not conduct trials. Instead, the records of the original trials in lower courts are reviewed; attorneys present the legal issues.

Trial Courts: Tennessee's 95 counties are divided into 31 judicial districts. Within each district are Circuit Courts and Chancery Courts as provided by the state Constitution. Some districts also have legislatively established Criminal Courts. Judges of these courts are elected to eight-year terms. Circuit Courts are courts of general jurisdiction in Tennessee. Circuit judges hear civil and criminal cases and appeals of decisions from City, Juvenile, Municipal and General Sessions courts. The jurisdiction of Circuit Courts often overlaps that of the Chancery Courts. Criminal cases are tried in Circuit Court except in districts with separate Criminal Courts established by the General Assembly. Chancery Courts are a good example of the court system's English heritage. The traditional equity courts are based on the English system in which the chancellor acted as the "King's conscience." Chancellors may, by law and tradition, modify the application of strict legal rules and adapt the relief given to the circumstances of individual cases. Criminal Courts are established by the General Assembly to relieve Circuit Courts in areas where they are justified by heavy caseloads. Criminal Courts exist in 13 of the State's 31 judicial districts. In addition to having jurisdiction over criminal cases, the 29 Criminal Court judges hear misdemeanor appeals from lower courts. In districts without Criminal Courts, criminal cases are handled at the trial level by Circuit Court judges. Probate Courts in Shelby and Davidson counties were created by the legislature and given exclusive jurisdiction over probate of wills and administration of estates. These courts also handle conservatorships and guardianships.

Courts of Limited Jurisdiction: General Sessions Court jurisdiction varies from county to county, based on state laws and private acts. This court, which hears civil and criminal cases, including matters formerly handled by justices of the peace, serves every county. Civil jurisdiction is restricted to specific monetary limits and types of actions. Criminal jurisdiction is limited to preliminary hearings in felony cases and misdemeanor trials in which a defendant waives the right to a grand jury investigation and trial by jury in Circuit or Criminal Court. General Sessions judges also serve as juvenile judges, except in counties where the legisla-

ture has established a separate Juvenile Court. General Sessions judges are elected to eight year terms. Juvenile Court jurisdiction is vested in General Sessions Courts in all counties except those in which the law establishes special Juvenile Courts. Juvenile Courts have exclusive jurisdiction in proceedings involving minors alleged to be delinquent, unruly, dependent and neglected. Juvenile Courts also have concurrent jurisdiction with Circuit, Chancery and Probate Courts in some areas. Municipal Court, also known as city court, has jurisdiction in cases involving violations of city ordinances. Generally, a city judge has authority to assess fines up to \$50 and jail sentences up to 30 days. However, jurisdiction varies widely from city to city. About 300 Tennessee cities have Municipal Courts.

The ***Office of the Attorney General and Reporter*** was established by Article VI, Section 5 of the Tennessee Constitution. The justices of the Tennessee Supreme Court appoint the attorney general for an eight-year term. The attorney general is the chief legal officer of the state. Through the AG's staff, the Attorney General represents the interests of the state in a variety of areas. The attorney general represents officers and agencies of the state in all civil litigation before state and federal courts. The attorney general prosecutes all criminal cases in the appellate courts and exercises original prosecution powers in the areas of securities and state contract fraud. The AG also has the authority to institute ouster proceedings and civil actions for antitrust violations, consumer fraud and environmental enforcement. In addition to courtroom duties, the attorney general provides legal advice to state departments and agencies and the General Assembly. Formal opinions of the attorney general on legal issues are rendered to state officials upon request. The attorney general also approves all administrative regulations and leases as to form and legality. Finally, in the exercise of the office's reporter function, the attorney general reports the opinions of the Tennessee Supreme Court and Court of Appeals. A chief deputy, who is responsible for coordinating and supervising the work of the office, including review of substantive work, general management of the office, and participating in policy formation, assists the attorney general. The attorney general is also assisted by the solicitor general, who is responsible for reviewing opinions before submission to the attorney general, and for supervising and coordinating the appellate work of the office.

Corrections: Corrections in Tennessee is not one unified system, but a group of independently operating entities – jails, prisons, probation and parole offices. As with law enforcement, correctional activities are organized, administered and financed by local and state jurisdictions. In general, the State of Tennessee administers those convicted of felonies (serving a year or more). The *State Department of Correction* maintains twelve facilities for men and women across the state. These facilities house approximately 16,652 average daily populations at any one time. In addition, private companies under contract with the Department operate two facilities that house an additional 3204 Tennessee felons. *County jails* are administered by sheriffs. They serve two purposes: (1) housing people who have been arrested for a crime and are awaiting trial and (2) housing offenders who have been convicted of misdemeanors and sentenced to less than one year of incarceration. Other lock-ups exist as short-term holding facilities pending transfer. Approximately half of the “accountability” agenda is the responsibility of the *State Department of Probation and Parole*, whose average monthly community services and parole populations make community sentencing a major element of Tennessee's sanctioning strategy.

The remaining departments of Tennessee State government directly responsible for components of the criminal justice system are as follows:

- *Finance and Administration, Office of Criminal Justice Programs* (S.A.A. for Department of Justice) – OCJP is the State Administrative Agency for many U.S. Department of Justice programs. In addition OCJP administers Federal Department of Health and Human Services grant dollars as well as several grant programs supported by state-appropriated dollars. The Tennessee Department of Finance and Administration is the umbrella fiscal, budgetary and administrative overhead and oversight agency for Tennessee state government.
- *Department of Children’s Services* - The Department of Children’s Services, created in 1996, consolidated all services to children formerly provided by multiple departments. While all the department’s services are important, those of particular interest to OCJP are programs for delinquent youth, probation, aftercare, treatment and rehabilitation programs for identified youth.
- *Commission on Children and Youth* – The Tennessee Commission on Children and Youth (TCCY) was created in 1988. TCCY is an independent state agency that advocates for improvement in the quality of life for children and families; collects and disseminates information on children and families for the planning and coordination of policies, programs and services; administers the federal Juvenile Justice and Delinquency Prevention Act (OJJDP) in Tennessee; and administers and distributes funding for teen pregnancy prevention programs.
- *Department of Health* - The Department of Health plays a crucial role in Tennessee’s efforts to fight crime and delinquency in addition to its more traditional role of pursuing a broad public health agenda. As the agency of state government tasked with targeting substance abuse and chemical dependence, it directs an important part of Tennessee’s efforts to combat drug-related crime and delinquency through prevention efforts aimed at youth and adults. Treatment, intervention and rehabilitation services for thousands of Tennesseans are provided each year through out-patient and residential treatment facilities across the state.
- *Department of Mental Health and Mental Retardation* – The Tennessee Department of Mental Health and Mental Retardation is an important partner in facilitating reform in several aspects of Tennessee’s criminal justice system. Important crossover issues – such as the mentally ill in jails and prisons, and responding to underlying mental illness among drug and chemical abusers – are examples of shared agendas. The department has taken a leadership role in assuring that those aspects of TennCare directed at mental health services are met in corrections. That initiative constitutes an important element in addressing the problems of the mentally ill in our criminal justice system.

Finally, OCJP and all of the agencies previously described depend upon numerous *non-profit agency partners* whose agencies deliver prevention, intervention and treatment services to at-risk children, offenders and victims of crime. Without their support the multitude of criminal justice missions could not be accomplished in Tennessee.

Statewide Executive Criminal Justice Advisory Committee

The Advisory Committee is a large body, which complies fully with previous BJA guidance on composition: its membership includes representatives of state, local, and federal criminal justice agencies, as well as organizations that work with these agencies and with the victims and communities they serve. The advisory committee may meet several times a year. The

chair, with the approval of the director, may call a special meeting. The director also appoints from the membership of the advisory committee an executive committee, made up of no more than seven members appointed for a one-year term. The chair of the advisory committee also serves as chair of the executive committee.

The advisory committee and executive committee are encouraged to generate project concepts open to exploration through OCJP's planning mechanisms. These ideas can become the basis for OCJP's development of a new program or modification of an existing one. It is precisely the role of both the advisory committee and the executive committee to make these program-level recommendations. However, final decisions to fund or not fund individual projects covered under an existing BJA-approved program remain the responsibility of OCJP. (Figure 15 in Chapter 6 lists the agencies represented on the Tennessee Statewide Criminal Justice Executive Advisory Committee.)

Appendix B: Strategic Process for Program Planning & Management

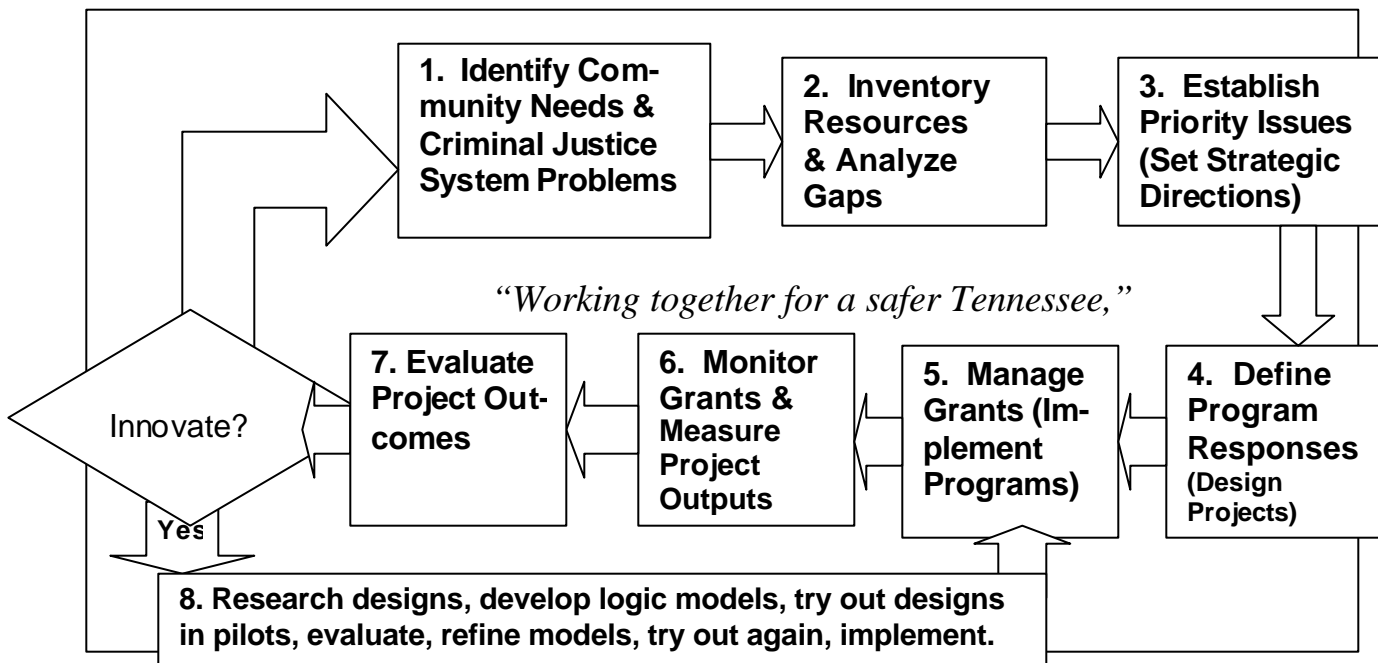
The Tennessee Office of Criminal Justice Programs (OCJP) manages a systematic, year-round cycle for determining the communities' needs, identifying the justice system's problems, setting program priorities, making grant allocation decisions, managing those funded projects, and evaluating the results of those decisions. *Strategic program management* is a structured process that looks three to five years ahead of daily grants management activities at the changing needs of Tennessee's justice system. OCJP tracks problems surfacing in the criminal justice system, monitors trends in Tennessee's communities, assesses the condition of the state's resources, and measures the recent performance of OCJP-funded programs. All this information helps OCJP focus its future program descriptions, set its funding priorities, prepare its budget requests, and direct its limited resources into areas that promise the best return for the public's investment. The process described in this Appendix is a simplified version taken from OCJP policy.

Mission and Vision: Strategic management takes place within the mission of OCJP:

“The Office of Criminal Justice Programs is committed to a safer Tennessee for all of its citizens. OCJP functions as a strategic planning agency that secures, distributes and manages federal and state grant funds for Tennessee. While collaborating with other public and non-profit agencies, OCJP utilizes these grant monies to support innovative projects statewide in efforts to reduce criminal activity, provide services for victims of crime and promote overall enhancement of the criminal justice system in Tennessee.”

OCJP’s vision, “*Working together for a safer Tennessee*,” provides the day-to-day backdrop for grants management activities. A graphic depiction of OCJP’s eight-stage strategic program planning and grants management process appears in Figure 17 below. It is a systematic, fact-based, stakeholder-driven approach to priority-setting which is facilitated by the staff of the Office of Criminal Justice Programs.

Figure 17. OCJP's Strategic Program Planning and Grants Management Process



Purpose and Intended Outcomes: OCJP is in business to reduce criminal activity, provide services for victims of crime and promote the enhancement of the criminal justice system in Tennessee. Three procedural “tracks” are going on continuously throughout the year. First, OCJP is exercising management control over the numerous grants already in place. Second, OCJP is collecting and analyzing the data we need for directing the programs of the future. Thirdly, OCJP is constructing the multi-year planning and accountability documents that the funders require. By completing the eight steps in the strategic management process OCJP staff are attending to all three responsibilities simultaneously.

1. Identify Community Needs and Criminal Justice System Problems

OCJP has programs and projects in place *now* to deal with *current* needs and problems. But for OCJP to make long-range improvements, we occasionally have to make changes in our funding priorities. Those changes will always be in response to the challenges surfacing in Tennessee’s communities and its criminal justice agencies. The professionals in the field will usually see these trends first, but OCJP strives to be among the first to know about changes in criminal justice and domestic violence issues, so that the Office can steer its *future* programs in new strategic directions. OCJP looks to the field for its information.

OCJP monitors the following sources of community and criminal justice system trends to be able to identify the “nature and extent of the problem in Tennessee”:

- Uniform Crime Reporting (UCR) Data on Violent Crime;
- Tennessee Incident Based Reporting System (TIBRS);
- Drug Production, Sales and Use Data;
- Corrections Populations (TDOC);
- Domestic Violence and Rape, Sexual Assault and Stalking Data (various sources);
- Information on Other Criminal Justice System Problems and Issues:
 - Geographic coverage of enforcement, prosecution and victim services;
 - Under-served populations;
 - Mentally ill in jails and other special populations in corrections;
 - Other issues (victims’ rights, gangs, child pornography, racketeering, immigration, parental abduction, money laundering, etc.).

OCJP grant managers concentrate on their own program areas, using state and local participation to gather and document information on the “nature and extent of the problem” in Tennessee’s communities and its criminal justice system. They continuously:

- Monitor the data sources (i.e., UCR, TIBRS, Internet, professional literature, federal grants management sources, university offerings, National Drug Control Policy, etc.) routinely, documenting findings in a record for periodic discussion at OCJP;
- Maintain routine contact with other state agencies (e.g., state Departments of Safety, Corrections, Children’s Services, Mental Health and Retardation, TN Bureau of Investigation, Board of Pardon and Parole, Alcoholic Beverage Commission) and the U. S. Attorneys and Law Enforcement Coordinating Councils;
- Attend and sponsor conferences, retreats and work groups for grant sub-recipients and leaders in the field, keeping records of developments and topics of interest to OCJP;
- Attend routine public gatherings of the professionals OCJP considers *stakeholders* in the criminal justice system (such as the TN District Attorneys General Conference, the Sher-

iff's Association, the Police Chief's Association, the TN Narcotics Officers Association, the Administrative Office of the Court, the District Public Defenders Conference, the TN Drug Court Association, the TN Coalition against Domestic Violence and Sexual Assault, victim services agencies' administrators);

- Maintain regular phone and in-person contact with grant sub-recipients, and maintain a log of information obtained about system issues and community needs;
- Conduct surveys, focus groups and other forms of first-hand data collection;
- Meet regularly with advisory committees of system participants, such as the OCJP Criminal Justice Executive Advisory Committee, VOCA Resource Planning Group, STOP Violence against Women Program Planning Group, Criminal Justice Records Improvement Task Force, etc.

2. Inventory Resources and Analyze Gaps

Given limited resources, OCJP must balance the expectations of criminal justice system stakeholders with what the data say about the communities' needs (i.e., service demands). By continuously assessing Tennessee's funding capacity (such as federal and state grant prospects) OCJP maintains the best possible balance between the community's needs and Tennessee's resources. When OCJP compares state resources with the needs and demands for quality services, there is usually a gap. That analysis helps OCJP make responsible budget decisions. Keeping an inventory of resources also helps us avoid managing for crises by responding in ways consistent with OCJP's strategic direction. OCJP grants managers monitor the condition of the following federal and state grant sources for Tennessee:

- *Edward Byrne Memorial Grant Program*: OCJP administers the Edward Byrne State and Local Law Enforcement Assistance Formula Grant. OCJP awards Byrne grants to state and local governments to make communities safe, improve the criminal justice system, and reduce crime, violence and drug abuse. Special issues addressed by this program include improvement of criminal justice records in Tennessee, domestic violence prevention and intervention, prevention of school violence, drug offender prosecution and treatment, information system technology, community based program support, court and drug task force support and correctional systems improvement. This program currently funds more than 130 local and state projects.
- *Local Law Enforcement Block Grant Program (LLEBG)*: The state uses these funds for statewide drug enforcement, gang initiatives, drug task force training, drug court support as well as selected equipment needs for both local and state agencies.
- *Safe Neighborhood Act of 1998 (SAFE)*: Through the Tennessee Safe Neighborhoods Act, OCJP makes available \$7,500,000 state dollars to assist local law enforcement agencies that are actively participating in or making application for the COPS Universal Hiring Program administered through the U.S. Dept. of Justice. This SAFE funding covers 10% of the total COPS grant reducing the 25% match requirement from the local agency to 15%.
- *National Criminal History Improvement Program (NCHIP)*: OCJP coordinates the state level interagency taskforce which leads the effort to improve the collection and reporting of criminal histories throughout Tennessee's criminal justice system. The Office administers grant funds and coordinates activities statewide to improve this system.
- *STOP Violence Against Women Program*: OCJP coordinates, plans and serves as the administrative agency for Tennessee's STOP Violence Against Women Grant. The Office

administers approximately 65 grants to law enforcement, prosecution, and victim services agencies.

- *Residential Substance Abuse Treatment (RSAT)*: OCJP administers the RSAT Grant for state prisoners. The program provides for substance abuse treatment programs in state and local correctional facilities.
- *Victims of Crime Act (VOCA)*: Tennessee's VOCA program is designed to provide high quality services that directly improve the health and well being of victims of crime. Priority is given to victims of child abuse, domestic violence, sexual assault and services for previously underserved victims. Currently over 75 grants are funded throughout Tennessee.
- *Family Violence Shelters*: This state program provides grants for shelter and related services to victims of family violence and their dependents. Funded shelter services are provided 24 hours a day, 7 days a week. They include shelter, crisis hotline, counseling, advocacy, transportation, referral, follow-up and community education. This program currently funds more than 30 shelter grant programs.

2.1. Inventory of Resources: OCJP grants management personnel develop and maintain an informal "database" of information that describes the "state of the art" in Tennessee law enforcement, prosecution, courts, public defense, offender treatment, jails and prisons, and victim services. These data are obtained by monitoring the trends and attending the gatherings of the state's criminal justice system components. OCJP merges this in-house pool of knowledge and experience with OCJP's own Access database of grant funds by program year. That database specifies a great deal of detail about the grant contracts (e.g., organization, geographic location, contacts, amounts) of all grant sub-recipients. Grant managers also track the federal and state funding sources for information on Congressional and state Legislative trends in decision-making, such as anticipated funding cuts or enhancements. Finally, grants managers are also building the storehouse of knowledge when they maintain good records on the performance (and performance issues) of their existing grant sub-recipients – Tennessee's core resources for criminal justice and victim services.

2.2. Resources Gaps Analysis: OCJP grants managers slip into a planner role on those occasions when new money becomes available, when old grants change or are reduced, or when a significant community need or criminal justice system problem surfaces. On those occasions grants manager/planners are called on to analyze the data from all these sources, and to draw preliminary conclusions about the strengths and weaknesses of the current spending patterns. In those places where the funding falls short, where there are demonstrable gaps in the geographic distribution of the funds, or where there is a verifiable population that is under-served or un-served, OCJP has discovered a *gap* in its support of the system.

2.3. Areas of Greatest Need: The most critical of these resources gaps must be filled if funding will allow. These are the areas of greatest need. OCJP grant manager/planners may develop an issue paper or a data analysis memo drawing conclusions about the "areas of greatest need" to use in engaging their stakeholder partners in conversations about the issues and alternative approaches for solutions. The alternatives may in some cases evolve into new program designs or models for funding.

3. Establish Priority Issues (i.e., Set Strategic Directions)

OCJP places a high value on quality working relationships with Tennessee's criminal justice system stakeholders. Their satisfaction is a goal for OCJP. Therefore, the Office engages local government and community leaders, grant sub-recipient administrators, state agency partners and other stakeholders whenever OCJP needs help setting new priorities. These partnerships help OCJP envision new directions for existing programs, and encourage "ownership" for solutions that go beyond what state and federal grants can do alone. The experience and wisdom of those partners help OCJP craft its multi-year strategies and program plans for funding sources.

3.1. Participatory Priority-Setting Process: Before OCJP articulates changes in the primary Programs to be funded, it convenes advisory groups of stakeholders. OCJP uses one type group for criminal justice priorities and one for victim services priorities. OCJP facilitates these topical or profession-specific work groups to obtain advice for OCJP planners on the following:

- The problems, issues and trends OCJP has identified in community needs and the state's criminal justice system;
- The condition of state and federal grant revenues available for allocation to Tennessee agencies and local governments;
- The staff's suggestions for program priorities and program descriptions; and
- Their recommendations on the final design of that year's grant solicitations.

3.2. Timing of the Priority-Setting Process: Issue-analysis meetings happen as the need arises, but only if there is reason to believe a change is needed in the *programs* OCJP will fund. When community issues or justice system problems demand a change in programs, OCJP's Director convenes the Executive Criminal Justice Advisory Committee to review the recommendations of the issue-analysis work groups, to help OCJP establish priority issues for funding. These Priorities will drive any changes to the core programs OCJP will fund, by clarifying any changes in the federal Program Abstracts. Generally this happens every four years unless no new challenges have been noted in the Tennessee criminal justice system.

3.3. Current Priority Issues: The six priority issue areas OCJP has arrived at for the current funding cycle continue to be Offender Apprehension, Court Support, Offender Rehabilitation, Victim Advocacy, Community-based Services, Criminal Justice Records Improvement. Those OCJP staff involved in preparing the Byrne Strategy and its annual Updates summarize these priority issue areas for the strategic planning documents every four years. Each priority is described in terms of the programs addressing the issue area, their BJA approval date, their relationships to the national drug control priorities, their Byrne purpose areas, and their performance measures (i.e., intended accomplishments). These issue priorities are addressed directly by the state's six Program Abstracts.

4. Define Program Responses & Project Design Requirements (Logic Models):

Seldom will any planning cycle yield a wholesale change in the Programs funded by OCJP grant awards. In those years when a new issue or challenging new set of circumstances forces a change in the state's array of Programs, OCJP staffers develop an amendment to the state's

existing set of Program Abstracts. The program responses are the central component of the state's application for federal funds under the various grant programs. These programs, in turn, define the types of projects that will be funded by OCJP. OCJP offers these specifications in its solicitations of local government and non-profit agencies. Desirable project designs are usually stated in the form of "logic models" that spell out the intended project purposes (i.e., outcome-driven project designs) and the measures of success that will be used by OCJP in year-end project evaluations. These performance measures address the accomplishment of program purposes, which tie back to the "nature and extent of the needs and problems" discovered during the needs assessment stage of OCJP's planning approach.

4.1. Development of Program Abstracts: The Abstracts are the formal descriptions filed with the Bureau of Justice Administration noting the problems to be addressed, the target populations, the activities to be performed, and the measures of success envisioned for an area of funding. Tennessee OCJP maintains eight Programs in its law enforcement section. All OCJP-funded law enforcement and prosecution projects fit within one of these eight Programs, listed by Byrne Priority Area below:

- *Offender Apprehension:* Multi-jurisdictional drug and violent crime task forces.
- *Court Support:* Pre-trial service delivery; Special prosecution services.
- *Offender Rehabilitation:* Correctional treatment.
- *Victim Advocacy:* Domestic violence training; Victim-witness program.
- *Community-Based Services:* Community crime prevention.
- *Criminal Justice Records Improvement:* Criminal justice information systems.

4.2. Federal grant application process: OCJP staff members all have assigned responsibilities for completing the state's applications for federal Byrne, RSAT, STOP and VOCA grants. Each grant application has its own rigorous requirements, deadlines and formats.

4.3. Development of Four-Year Strategy Documents and Annual Updates:

- *Criminal Justice:* OCJP prepares a Statewide (Byrne) Strategy for Drug Control, Violence Prevention and Criminal Justice System Improvement every four years. The Department of Justice (Bureau of Justice Administration) also requires an annual Strategy Update to report changes in the state's Strategy, if any is planned. In Tennessee, this development process is not a paper-compliance exercise designed simply to generate Byrne funds. It is an attempt to bring together the local law enforcement community in a shared vision for the improvement of criminal justice in Tennessee – independent of the federal revenue stream.
- *Victim Services:* OCJP also prepares an annual Implementation Plan for the STOP Violence against Women Program, which in many ways serves as the equivalent of the Byrne Strategy for victim services in Tennessee.

5. Manage Grants (Implement Programs)

OCJP views program implementation as the assurance that federal and state funds are used in ways that produce high-quality *project* performance. That is, a program's success is the sum total of the performance of the projects that address that program. Program implementation

begins with the sub-recipient awards process. OCJP's grant management responsibilities begin there as well.

5.1. State sub-grant awards process: The process for soliciting applications from local governments and state agencies begins before the announcement of the state's grant award. Some significant work is completed before OCJP receives notice of the federal grant amount, but once the Office knows about funding availability the announcement of the sub-recipient application due dates is released. OCJP leadership develops "boiler-plate" contract shells. Over the next few months:

- A work group of experienced and qualified sub-recipient administrators usually helps OCJP staff develop the state's solicitation. When a new program or a new type of project is envisioned, the work group helps OCJP develop a project design ("logic model") to spell out the purpose, goals, inputs, activities, outputs and desirable outcomes of a successful project proposal. For major new project solicitations or for highly provocative ones, OCJP may even convene a series of peer reviews for the new project designs. The advisory groups that advise on the project specifications are often asked to help review and rank the applications received at OCJP later.
- OCJP staff members develop the solicitations for their own program areas, customizing standard formats and modeling after previous successful solicitations. In addition, staff develop weighted rating criteria for guiding the application review process, and train their advisory groups in the criteria.
- OCJP staff travel around the state in teams on "road trips" to disseminate the solicitations, which are structured "requests for applications." These sessions are usually delivered in public gathering places in half-day training and Q & A sessions.
- OCJP staff process the applications, arrange meetings of advisors to discuss the applications, and facilitate the groups' reviews of the sub-recipients' applications.
- OCJP staff maintain detailed records of the selection decisions, "populate" the database, notify the sub-recipients of the state's decisions, and deal with questions.
- OCJP staff distribute contracts, establish and maintain the sub-recipient's project file, trouble-shoot the contract's signing and distribution, and ensure that the initial project reports are filed by the sub-recipient as required.

5.2. Policy Management: OCJP grants managers monitor their assigned grants' administration sources, such as the Federal Register and the federal grant administrators' web sites, and stay abreast of developments in the field. They review sub-recipient manuals, trouble-shoot consistency with contracts policy changes, and keep the manuals current by revising them as needed. Grant managers also arrange for training and sub-recipient staff development as needed to keep the sub-recipient's performance at its best.

5.3. Federal Collaboration: Grants managers collaborate with the federal grant managers in Washington D.C. and in the regional offices. Many federal managers conduct regular phone calls, conference calls, eMail communications, and the occasional site visit to Tennessee. The OCJP grant manager is responsible for coordinating these methods and for ensuring quality communications with the federal manager of the grant.

5.4. Grant Coordination: Grants managers coordinate all OCJP-administered, federally-funded programs in Tennessee. OCJP enhances the effectiveness of several federal pro-

grams in Tennessee by integrating their use: Local Law Enforcement Block Grant (LLEBG), the Violence against Women Act (VAWA or STOP grant), Byrne Memorial Grant Program, National Criminal History Improvement Plan (NCHIP), Victims of Crime Act (VOCA), and the Residential Substance Abuse Treatment (RSAT) Grant. OCJP also coordinates with the agencies responsible for administering the Children's Justice Act and the Juvenile Justice Accountability Act grants in Tennessee.

5.5. Compliance Management: Grants managers coordinate with the Program Accountability Review (PAR) staff, making regular contacts to discuss the program/fiscal monitoring status of all grant sub-recipients (once completed). Managers also are responsible for preparing PAR staff to understand the projects' logic models and their expected project outcomes.

6. Monitor Grants and Measure Project Outputs

Monitoring is a quality-control enterprise. Each grant manager functions as a quality assurance expert. Grant managers routinely collect and analyze the key performance data required by the sub-recipients' contracts – both because the funders require the data to be reported and because the data are the most reliable way of managing the sub-grant.

6.1. Monitoring Grant Performance: Each grant manager is responsible for collecting and analyzing project performance data contained in the grants' required output reporting. The task involves notifying sub-recipients about the upcoming reporting deadlines, answering questions about the required reports, and processing the reports as they arrive at the Office. Once the data are in hand, the grant manager examines the patterns, looking for clues about the nature of the productivity, comparing the units of service delivered or the number of arrests made against the overall project budget. Managers are encouraged to do "benchmarking" and "baselining" to determine how the project's performance compares to others like it (and against its own past performance). Performance data can offer the grant manager huge opportunities for clarifying grant expectations, provide technical assistance, and coax the best performance possible from the project's budget.

6.2. Performance Reporting: Grant managers each prepare and submit semi-annual and annual reports to the funding agencies. Adhering to the grant's requirements, managers aggregate the data into summaries that match the formats prescribed by the federal programs. They submit the data in automated and hard copy form, and track the submission to be sure it meets federal requirements. Requirements are different for criminal justice and victim services projects.

7. Evaluate Project Outcomes

OCJP believes that evaluation provides essential information for completing the strategic management cycle. The data on outcomes tell funders whether the programs and projects they designed and funded were effective in addressing the source problems identified during the assessment stage of the planning cycle. In that way, evaluative data not only "look backward" over past project performance, but they "look forward" to drive future innovations at the state level. Routinely collected program outcome data helps OCJP see what is working, what is not working, and what to invest in for the future.

In Tennessee, OCJP evaluates its grant *programs* by evaluating its *projects*. The sum total of *project* performance is the statement of *program* effectiveness. Moreover, routine evaluation at OCJP is a grassroots-oriented approach because more rigorous approaches are too expensive to conduct on every program every year. At OCJP the grant sub-recipients themselves are responsible for collecting and reporting their own performance data. That way, the sub-recipient (which stands to learn the most about how to improve) gets the information first-hand, and outside evaluators will have actionable data on hand when they need them. OCJP's grant sub-recipients explain what their agency will measure (and how) at the time of their grant applications, then OCJP monitors to ensure they follow through on those commitments. Evaluating victims' outcomes and the impacts of law enforcement on community safety is entirely different from monitoring and measuring project outputs (i.e., the "production" data). The focus is on what changes were effected in the community or the victim.

7.1. Sub-recipient Training and Technical Assistance: To get the outcome data, OCJP grants managers take responsibility for preparing their sub-recipients in the basic information they need for obtaining clarity on their project's purpose. Then they coach sub-recipients about the measures and data collection they will need to use. They do informal training on "logic models," then integrate evaluation with their routine technical assistance and grant support functions.

7.2. Outcome Reporting: Grant managers prepare annual reports on outcomes to the funding agencies that require them. Adhering to the grant's requirements, managers aggregate the data into summaries that match the formats prescribed by the federal programs. They submit the data in automated and hard copy form, and track the submission to be sure it meets federal requirements. Outcome reporting requirements are different for law enforcement and victim services projects.

8. Innovate (Program Innovation Cycle)

To keep its programs effective OCJP needs to promote innovations *both* in the operation of existing projects *and* in the ways the criminal justice system defines its primary issue areas and program responses. OCJP can and should circulate the project performance data it collects, in order to drive innovations in project designs and improved service delivery processes. And, of course, the Office must use the evaluative data on what works to "seed" innovative new projects when the funds are available. In their "strategic planning mode," OCJP staff can compare project outcome data with national "state-of-the-art" practices and "best-practice" trends, write a position paper, develop a new logic model and craft alternative program designs. Or, they can facilitate these same tasks with working groups of field professionals. In their grants manager mode, OCJP staff can help sub-recipients capture and analyze performance data, conduct self-assessments, plan for in-house performance improvements and actually make those improvements. In either case, the challenge is in how OCJP uses the data already in hand.

In *Figure 18, Strategic Program Planning and Management at TN OCJP*, on the following page, there is a summary of the eight-stage strategic management process used by Tennessee's Office of Criminal Justice Programs.

Figure 18. Strategic Program Planning and Management at TN OCJP

Stage of Process	Cycle	TN OCJP Program (Grant) Management Activities
Clarify OCJP Mission, Vision & Grant Purpose	Jan-Dec	<ul style="list-style-type: none"> • Remain abreast of OCJP logic model, mission, vision, values. • Review Federal guidelines & trends in the field for changes in grant program purposes, priorities and target populations.
Identify Nature & Extent of Problems and Needs	Aug-Dec Oct	<ul style="list-style-type: none"> • Plot and review data sources (e.g., Census, TIBRS, CTAS, key conferences, focus groups & survey results: justice system & SR assessments of community needs performance & evaluation data). • Summarize current and anticipated problems for monitoring.
Analyze Resources: Identify Gaps and Opportunities	Nov-Dec	<ul style="list-style-type: none"> • Analyze expected state/federal funds for increases/decreases in amounts. • Analyze sub-grant spending and distribution of current grants to identify total obligations and state “coverage” with grants. • Identify grants that are ending or being curtailed (see program monitoring & evaluation), and fund amounts released. • Identify resources that can be reallocated: innovation/expansion. • Determine service gaps, unmet or under-met needs & geo-map.
Set Strategic Direction	Dec-Jan Mar	<ul style="list-style-type: none"> • Determine priority of funding for next grant cycle: <ul style="list-style-type: none"> ◦ Define program purposes in abstracts & identify priority areas and projects for funding; ◦ Engage advisory committees and steering groups; ◦ Develop & submit grant applications, Byrne Strategy/Updates, STOP Implementation Plan. • Formulate action plans for contending with budget cuts. • Inform communities & providers of funding availability & logic models to be funded; design the grant application process. • Train sub-recipients on contractual and performance requirements, provide technical assistance and consultation (Road Shows).
Manage Grant Evaluations & Award Process	Apr-May	<ul style="list-style-type: none"> • Manage the proposal review process (selection panels, grant proposal evaluations). • Make awards of sub-grants. • Send notices of award and negotiate contracts.
Identify and Design Innovative Projects	July-June	<ul style="list-style-type: none"> • Formulate action plans for “seeding” innovative projects. • Identify innovative projects for funding or replication. • Facilitate logic model designs of new model projects. • Develop core outcome measures for new programs/projects. • Develop grant application guidelines & manage the award process.
Monitor and Measure Projects and Programs	Jul-June	<ul style="list-style-type: none"> • Review PAR reports, audit reports and project evaluations. • Review semi-annual and annual reports from sub-recipients. • Provide feedback to sub-recipients; support benchmarking. • Require improvement or corrective action plans, as required.
Evaluate Projects and Programs and Report to Funders	Jul-June	<ul style="list-style-type: none"> • Review annual reports of actual outputs and outcomes against each sub-grant’s intended (funded) success measures. • Sponsor external program evaluations as appropriate. • Develop annual OCJP program performance report. • Review current array of grants/programs/projects against grant purposes, priorities and targeted populations. • Develop & submit Byrne & Victim Services Annual Reports to feds. • Develop & submit annual reports to TN Legislature.

Continuous Improvement in Ongoing OCJP Planning Activities

OCJP has continued to deal with several implementation issues since creating its strategic management process in 2000. For example, we are still orienting practitioners to the new process. We have had to motivate and facilitate practitioner participation, and we have had to gather the groups' work products for future program and strategy development decisions. We have also had to develop our own staff's planning skills while contending with their ongoing grants management workloads. Each year since 2001 we have developed action plans to advance the system, and have been executing these plans for three years now. For the upcoming year, 2004, our improvement priorities for OCJP planning and management are as follows:

1. WORK SMARTER!

- Enhance management of staff time;
- Improve in-house work flows to reduce stress;
- Eliminate unnecessary and duplicative activities;
- Build support for creative thinking (make time);
- Take advantage of resources;
- Develop a concrete plan for improving analysis of evaluation data we've collected;
- Use internal policy manual more reliably; and
- Install calendaring for scheduling internal work group meetings.

2. INTERNAL & EXTERNAL COLLABORATION

- Attend cross-discipline meetings, conferences, trainings;
- Make Criminal Justice and victims meetings available to both groups;
- Look for joint projects (office collaboration);
- Build staff expertise (i.e., skills in training management);
- Build legal support and knowledge;
- Ensure that more timely answers from fiscal staff will reach grant managers;
- OBF, PAR, fiscal will develop a process for implementing Policy 3;
- Effectively communicate with Information Services Management & the budget office; and
- Improve the integration of OCJP units for Criminal Justice, Victim Services & Fiscal.

3. OUTREACH

- Coordinate with proven Sub-recipients to identify areas in need;
- Conduct focus groups to look for ways to outreach;
- Develop an information page and & newsletters to enhance sub-recipient communications;
- Conduct separate "road shows" for victim sub-recipient grants;
- Conduct follow up meetings with sub-recipients after "road shows";
- Meet with sub-recipients twice a year to discuss their concerns & needs, especially training needs; and
- Develop and deliver training to meet sub-recipients' needs.

Appendix C: OCJP Evaluation Strategy

Evaluation is a systematic assessment of the results or outcomes of a program's efforts. It is a critical component of any effective strategic program management scheme. At the Tennessee Office of Criminal Justice Programs, evaluation sheds light on six targets of management focus. That is, we use evaluation "to measure actual outcomes against the intended outcomes of the program; to discover achievement and results; to discover deviation from planned achievements; to judge the worth of the program; to identify unintended consequences; and to recommend expansion, contraction, elimination, or modification of the program."ⁱ

Building Program Effectiveness through Evaluation: Assumptions

Most experts would agree with Steven Aos, the principal researcher at Washington State's Institute for Public Policy. Aos recognizes that few criminal justice programs evaluate at the most sophisticated and reliable levels. Few can afford to! Nor is it easy to find a state criminal justice planning agency equipped to conduct the so-called "five-point evaluation designs" favored by University of Maryland researchers – i.e., random treatment and control groups using rigorous statistical methods to examine a range of intervening variables besides participation in the intervention itself.ⁱⁱ We consider Tennessee typical in that sense. We simply cannot evaluate *every* project for impacts *every* year.

However, Tennessee's strategy does recognize the importance of pursuing rigorous evaluation designs. We do that by judiciously combining in-house process analyses with ongoing monitoring of sub-recipient outcomes data and periodic evaluation studies using outside experts. Our rationale is that even the most rigorous evaluation designs are based on good process analyses and readily available outcomes data. By gathering those data on an ongoing basis we generate the baseline requirements for future studies at a much lower cost than that required by contracting for those services. The staff at Tennessee's Office of Criminal Justice Programs is beginning to excel at producing these important tools, which can serve as inputs for sophisticated research designs. Meanwhile, we can use the process evaluation data to improve the performance of our funded projects and our own grants management processes.

The Tennessee evaluation strategy for Byrne-funded programs takes a three-part approach:

- *A. Clear Project Designs (Program Logic):* We insist on well defined project "logic models" in all grant applications. Applications are reviewed for explicit analyses of the needs that form the basis for a project, specific statements of project purposes and goals, and indicators of intended results. To receive a grant award projects must be able to demonstrate what they intend to accomplish and describe how they will produce and measure results.
- *B. Performance Analysis and Process Evaluation with Performance Data (including outcomes):* Funded projects must produce actionable data for determining whether they have implemented what was funded, and with what results. OCJP provides a great deal of technical assistance and support to ensure that funded sub-recipients are able to produce data that measure critical project outputs and outcomes. Grant managers at OCJP monitor the Byrne program performance data carefully and intervene as necessary. We manage a performance improvement process, not just a compliance monitoring process.

- *C. Impact Evaluations of Funded Programs:* Tennessee contracts with proven external researchers for comprehensive evaluations of its most significant programs as a complement to outcome measurement and process evaluation. OCJP plans at least one of these major efforts every two-to-four years. For example, the state's major Byrne-funded programs are the Multi-Jurisdictional Drug and Violent Crime Task Forces (MJTFs) and the Residential Substance Abuse Treatment (RSAT) program. In 2001 the Office of Criminal Justice Programs completed a contracted evaluation of the MJTF projects statewide; we are continuing to implement performance improvement recommendations that resulted from that study. We are planning a comprehensive external evaluation of either the RSAT program or the victim-assistance program between 2004 and 2006.

Tennessee's Evaluation Design

Tennessee's comprehensive evaluation strategy was designed to address BJA's criteria for effectively managed programs.ⁱⁱⁱ OCJP has built this strategy into its criminal justice grants management processes. The components essential for a complete evaluation system are in place and working. We of course are still phasing in the approach to impact evaluation throughout the system – a longer-term cycle. The three components of our design follow:

A. Clear Project Designs (Program Logic): In 2000 few Tennessee Byrne grants spelled out clear project designs and performance measurement procedures. Since 2000 Byrne sub-grant recipients have been trained and applicants have been required to supply logical descriptions of their projects' goals and objectives. Our grant review teams analyze and rate their logic models. Now, in 2003, nearly all our Byrne sub-recipients have approved project logic models and are reporting data on outcome measures.

Tennessee's evaluation design is simple: Evaluation should be built in from the beginning of each management cycle, whether at the state program or local project level. As new initiatives are undertaken in Tennessee OCJP will ensure that new and existing sub-recipients are (a) capable of identifying their measures of important performance outputs and intended results, and (b) capturing and reporting those data to OCJP. We began the cycle in 1998 by assisting victim services sub-recipients to develop logical evaluation designs for their projects. By 2001 we had trained nearly 150 victim services sub-recipients and supported over a dozen Byrne correctional treatment sub-recipients as they developed baseline project designs and performance management techniques. We are continuing to use these experiences as a model process for other sub-recipients. For example, in 2002 we applied it to 37 Byrne-funded prosecutors' victim assistance project coordinators and 25 MJTF sub-recipients. In 2004-'05 we intend to repeat this approach with new drug court grant applicants for OCJP funding.

OCJP has been advising potential applicants that we require Byrne applications – in program areas where performance outputs are measurable (e.g., offender rehab and treatment, victim advocacy, and some forms of apprehension) – to be stated in clear descriptions of the proposed project's purpose and intended results. We insist that these applications for OCJP-administered funds describe in "logic model" terms their project's purposes, goals or intended outcomes, funded activities, and measures of success. (Although victim services sub-recipients call these "logic models," criminal justice professionals simply call this good project design.) We continue to communicate our expectation that *funded and trained* sub-recipients must be gathering performance data, so that we have data in hand for every year of

the grant. Each new grant cycle we expect more projects will have logical, clear project designs, with specific baseline measures. In future award cycles OCJP will be positioned to award the grants to the most feasible applications that meet OCJP program priorities, and offer readily measurable performance criteria. That, in turn, should permit OCJP to base part of its future allocation decisions on analyses of sub-recipients' performance data – just as we do now with various victim services grant programs.

B. Performance Analysis and Process Evaluation with Performance Data: More sophisticated evaluations depend on process evaluation to produce management data describing a project's adherence to its design and its actual performance before they may address benefits or cost-benefits. Performance analysis describes what a program intends to accomplish and what is being delivered. Process evaluation describes how well the project performed according to its design, and at what cost. Outcomes measurement describes the results of the intervention (i.e., what happened to participants), given the project's objectives.

The Importance of Performance Data for Process Evaluation: OCJP's program managers are responsible for supervising their sub-recipients' data collection and reporting. OCJP program managers also use regular sub-recipient contacts and other sources of information (e.g., observation, monitoring, audit reports) to verify project activities in selected program areas. OCJP is making a concerted effort to visit the field more often for practitioner gatherings and occasional site visits.

In 2002-2003 OCJP helped residential correctional treatment projects to identify and capture process and outcome data. These groups identified their key processes and performance measures, developed data collection instruments and procedures, and began submitting performance and outcome data to OCJP. In 2003 OCJP staff analyzed the outcome data obtained from these projects, and crafted a number of performance improvement interventions. Staff made follow-up site visits and planned corrective action to coincide with the evaluative findings. OCJP used this experience to begin planning evaluation activities for other Byrne grant sub-recipients as well. The lessons we are learning will be adopted with other sub-recipient types in future years.

For 2004 OCJP has planned to assist in the development of logical project designs for new drug court projects. In order to help potential sub-recipients become ready to meet these requirements in 2004-'05, OCJP will provide technical assistance through an advisory group of practitioners representing the substance abuse treatment and specialized fields of drug courts. Technical assistance sessions on performance measurement will help potential drug court grant sub-recipients clarify their project designs based on researched models of "best practice." They will also help OCJP define appropriate and acceptable performance for projects of the types being funded. That, in turn, will help us prepare specific solicitations for comprehensive program evaluations during evaluation cycles in 2004-2007. We are considering just such solicitations for RSAT, prosecutors' victim assistance and drug court providers. Our 2004-'05 drug court provider solicitations will require sub-recipients of the types we have trained to report performance data on measures we have "tuned" to their project types. Providers that receive awards will be required to report their performance beginning with the mid-year reports due in January 2006. Meanwhile, we continue to add sub-recipients to the list of projects we have trained in performance measurement. Continuing to improve the collection and reporting of project outcome measures is an OCJP priority for 2004-'07.

C. Impact Evaluations of Funded Programs: Impact evaluations are, by nature, complicated research studies. Reliability and validity issues generally necessitate control groups for comparison with the populations participating in the funded interventions – or longitudinal analyses of what happened to a sample of participants over time (e.g., recidivism studies). Although some such studies can be conducted by targeting example projects, more often they are statewide examinations of a number of projects and their populations. These are usually conducted by highly trained and experienced professionals. Variables such as these make impact evaluations expensive. In conjunction with ongoing process analyses and performance measurement, research studies can make sense to an agency like Tennessee OCJP, but they must be planned and managed wisely.

We acknowledge the empirical reliability issues raised by measuring performance alone. Reliable control-group and longitudinal studies *do* matter to us. But it is also true that evaluation designs must “fit” the conditions under which projects are operated if they are to generate useful management information. The evolving nature of local criminal justice programming in Tennessee dictates that we concentrate our limited resources on process evaluation: discovering which projects have drifted away from what they planned to implement, getting them back “on track,” and identifying the actual results they produce when they actually perform as designed. More rigorous research designs addressing the spectrum of project types statewide can occur among major programs on a rotating basis, given a two-to-four-year cycle. Central to Tennessee’s evaluation design, then, are these two assumptions:

- *The reason we measure outcomes is to support ongoing improvements in local performance and state program management.* Tennessee’s grant programs are intended to accomplish certain outcomes (e.g., reduce recidivism, raise street prices of illegal drugs, enhance the social skills of drug offenders, or produce other changes in participants, such as new vocational skills). Using Tennessee’s “grassroots-oriented” Byrne evaluation strategy helps us know when we have accomplished those outcomes, and when changes in programming might enhance those outcomes. Such an approach permits Tennessee to remain abreast of project performance routinely, between major research studies.
- *We manage state criminal justice programs by evaluating local project performance.* That is, the success of Tennessee’s programs depends primarily on how well local *projects* meet local needs. Evaluating Byrne projects provides us with the knowledge of what works so that we can apply that knowledge over the long term to improve both the performance of the project and the results of the criminal justice system for the public. While we appreciate our obligation to conduct evaluations for federal and state funding sources, Tennessee OCJP’s highest priority lies securely on producing information that can be used on a daily basis for managing the success of local projects.

In 2000 our highest priority external evaluation was the analysis of the Multi-Jurisdictional Drug and Violent Crime Task Force Program, Tennessee’s largest Byrne program. The completion of that evaluation in 2001 helped Tennessee determine the direction of its Byrne program for the new millennium. It identified opportunities for fine-tuning project designs, for leadership intervention, and for future MJTF implementation by state and local agencies. During 2002 OCJP encouraged the MJTF projects to implement many of the evaluator’s recommendations. OCJP then monitored the performance-improvement activities of the sub-recipients. Today, we are planning once again to engage an independent contractor before 2007 to conduct either an evaluation of our next-

largest program, the Residential Substance Abuse Treatment program, or of the Byrne-funded victim assistance program. Whichever program it addresses, that evaluation effort will continue OCJP's commitment to impact evaluation. Future strategic cycles will address other major Byrne-funded program areas with external evaluations in a similar fashion. Eventually we will cycle back to evaluate the Multi-Jurisdictional Drug and Violent Crime Task Force Program.

Rationale for Tennessee's Evaluation Design

System ineffectiveness may be *identified* by evaluation, but finding solutions depends on better program development, i.e., problem identification, issue identification, priority setting, program identification. These, of course, are all activities that take place *before a program is announced, applications are received, and awards are made*. OCJP realizes that to improve program performance we must cycle evaluation findings back into our program development practices. Integrating evaluation into the strategic management process is the key.

Integrating Evaluation with Strategic Program Management: OCJP recognizes the importance of integrating evaluation.^{iv} BJA has recommended that states can enhance integration by involving evaluators in grant review processes and allowing them to control project monitoring. At OCJP evaluators are *not* separate from program management. We *are* the policy-makers, planners, project monitors, project directors and evaluation managers. OCJP is taking two important steps to address the critical issue of integrating evaluation:

- First, incorporating evaluative findings with performance improvements is a major function of our strategic program management process (see Chapter 2). We stress evaluation as a major responsibility of the OCJP program manager, and we have built our staffing patterns and workload assignments around this assumption. As OCJP has incorporated evaluation activity into the grant management cycle, we have re-assessed our workloads and staffing patterns to match these responsibilities.
- Second, OCJP continues to improve integration by insisting on evaluative data reporting as a minimum requirement for grant awards and for our own program development and design work. This stance has required that our staff become more proficient in providing technical assistance and training for grant applicants and sub-recipients. These functions have been a challenge, but we have built our staffing patterns and our workload assignments on these expectations as well. (OCJP conducts an annual staff retreat, and one of the major objectives each year is to re-assess our progress on the transition to strategic management functions, including process evaluation and its accompanying workloads.)

Methodology for Process Evaluation and Performance Management: OCJP program managers review all Byrne-funded projects yearly. Each major OCJP project receives a performance review based on annual performance and spending data each year. Other OCJP evaluative efforts (e.g., site-visits, frequent telecommunications, statewide meetings, and exchanging correspondence) occur for most programs on a rotating basis. Field visits are made to a selection of projects or to gatherings of sub-recipient agencies. The Tennessee Office of Program Accountability Review conducts additional program and fiscal evaluations, under the direction of OCJP managers. OPAR's monitoring reports to OCJP are valuable supplements to the overall monitoring and program evaluation conducted by OCJP grant managers. Details on these approaches follow:

- ? ***Semi-annual Reports:*** Applicants are required to submit a plan for evaluation as part of their project's design. Projects that are funded are then required to submit annual reports of project performance data. The projects' narrative addenda also address challenges or obstacles that have surfaced during project implementation. OCJP staff use written reports submitted by projects to track their progress, and to determine whether a project accomplished what it said it would accomplish in the period specified. Taken together, the projects' performance reports also contribute to process evaluation when used in conjunction with other sources of information on a program (e.g., site visits, etc). Our plan for the upcoming strategic cycle is to enhance project reporting as we continue to clarify project logic models, by encouraging electronic submission of information. Besides improving the quality and timeliness of OCJP's evaluative data, automating report submission will have the added advantage of supplying its own mechanism for aggregating and tracking program data. That in turn should permit more effective and efficient methods of tracking and documenting changes in a project's direction. It should also free up OCJP managers' time to make sure these documents are accurate and useful. Improved reporting is yet another reason for building the logic model analysis into the program development process at grant award time.
- ? ***Field Visits:*** Tennessee's unique geographic pattern requires OCJP to pay special attention to what is important information to gather. The real issue is how to gather information that is relevant and useful for program performance management most efficiently. When evaluation resources are limited, the key is to appreciate the important variations or typologies of a program, and to gather and share crucial data on each variation (if not each project). Involving "people," not simply relying exclusively on paper methods of gathering information, is important. But placing too much emphasis on geographic representation, as if performance can only be addressed by observing the physical location of each project, can over-extend the evaluators' capacity – at the expense of effectively managing the program. Although we place a premium on being in contact with grantees "in the flesh," we do not always attempt to make on-site visits to every project. It is often more efficient to have group meetings with similar sub-recipients, often at the site of one project, as a means of gathering and sharing information. OCJP will continue to review its data collection processes to make better use of telephone, email and other forms of distance interaction.

Methodology for Impact Evaluations: The State of Tennessee contracts with experienced research providers for impact evaluations. OCJP is dedicated to the state's contract-solicitation and provider-selection processes. That involves the development of a detailed solicitation (request for proposals), competitive bidding and a careful proposal review and award cycle. OCJP is currently planning to contract for a comprehensive evaluation of either its second-largest program – the Residential Substance Abuse Treatment Program or another important program, that of prosecutor-based victim assistance services. An evaluation of either program by an independent contractor will mean that 15% of Tennessee's Byrne funding will once again be subject to a comprehensive program evaluation under this plan.

The evaluation of Tennessee's Residential Substance Abuse Treatment Program will address several areas, possibly to include the following:

- Design of a comprehensive approach for the research project.
- An analysis of the outcome data and OCJP process evaluation data on such variables as:

- Participant socialization and behavior change;
 - Participant job skills or vocational abilities;
 - Participant substance abuse behavior; and
 - Recidivism among program graduates.
- An examination of costs and benefits.

An evaluation of the victim assistance program would address six or seven “core” client outcomes as well as a number of performance measures in a full range of locations and staffing patterns for these 37 projects.

OCJP’s goal is to support impact evaluation of a least one program or significant project every two to four years. OCJP will explore approaches to maximizing limited resources with the Statistical Analysis Center, local universities and the advisory board.

Evaluation Staffing: Byrne grant managers in Tennessee carry primary responsibility for a range of evaluation functions – from helping sub-grantees firm up their project designs to tracking their reports of performance data, from analyzing sub-grantees’ process improvements to managing external impact evaluations. We fit these approaches to the circumstances of the projects we administer and to the sizes of the investments in the sub-grantees. Each program manager integrates evaluation with his or her program technical support and project grant monitoring functions. In so doing OCJP uses staff time to establish a description of what is being implemented in projects where (a) goals and objectives have been insufficiently articulate, (b) models for effective service activities are non-existent, and (c) where actionable data are sparse. Our evaluation design requires our program managers to manage process evaluations as part of their role, in order to build up the “evaluability” of our Byrne grant sub-recipients.

The total evaluation process for each program has been assigned for management and direction to the program manager(s) for each program. The program manager is the “owner” of the evaluation process. This is true whether the program manager produces the evaluation output directly, for example, or through a contractor.

Funding for Evaluation: OCJP obtains its evaluation capacity both by conducting it in-house with existing staff and by “buying it,” (i.e., contracting for evaluation capacity from third parties, such as independent contractors, the Statistical Analysis Center, and the Tennessee Office of Program Accountability Review.) When contracting for evaluation services OCJP first defines the desired evaluation products then assesses the competing options. Selection is based on the option most likely to provide the output at the lowest available cost, given OCJP’s in-house evaluation capacity. Historically, OCJP has used administrative funds for underwriting its evaluation efforts. All variations of executing a contracted evaluation involve OCJP program managers in leadership and oversight roles. OCJP “owns” the evaluation process whether we “make it ourselves” or “buy it” from a contractor. The evaluation function is no less subject to evaluation than are other OCJP-funded activities. Tennessee purchases evaluation capacity through a contract with a knowledgeable outside evaluator and uses resources available for evaluation from the Tennessee SAC (Statistical Analysis Center). All Byrne-funded and most other contract programs administered by OCJP are monitored programmatically and fiscally each year through Tennessee’s Office of Program Accountability Review. These monitors conduct on-site visits, information gathering, program assessment and individual project evaluations.

Capacity Building at the Office of Criminal Justice Programs: Evaluation processes imposed unilaterally by the state cannot be as effective as we want them to be. However, our experience at OCJP is that sub-recipients will willingly gather and report performance data if they see the data as valuable for leading and managing their own performance. That is the reason OCJP began the approach in 2000 and continued it throughout the '00-'03 Strategy. We intend to keep at the task in 2004 and beyond – until we have trained all the sub-recipients whose project designs can reasonably produce performance data to capture and report performance data.

Our commitment to this process has been total. We have continued to refine our *own* operations based on this commitment. Working independently and with contracted facilitation, OCJP sections have re-examined their mission, vision and values annually – and we have adjusted our self-improvement goals and measures of success based on these self-assessments of progress. We continue to adjust our work processes and workloads, and we have made changes in staffing to fit. Our staff has continued to integrate the transition in their roles, functioning as resource planners and project evaluators even while maintaining their grants management responsibilities. We are still sharing the Office's evaluation design with our criminal justice system partners in meetings and natural gatherings of our sub-recipients:

- OCJP will continue to clarify the planning and evaluation demands spelled out in our Statewide Strategy for 2004-2007. We will continue to orient our criminal justice system partners informally to the changes happening at OCJP. We will begin facilitating sub-recipient technical assistance sessions by May of 2004.
- We are integrating our strategic management model into our daily routines. We are coordinating with the Department of Finance and Administration's Office of Information Resources (OIR) to convert our system for gathering performance data to an online utility for use by new Byrne project applicants. (This system will generate the baseline data for future process evaluations, even as it helps to educate applicants in how to design a project that is capable of being evaluated.) We have revised our grant solicitation and award processes in preparation for the new award cycle next year ('04 -'05), and have adjusted the budget proposal and other application requirements. We have developed the database tools we needed for performance tracking and project evaluation, using Microsoft Access.
- We will continue to scrutinize our changing workloads and workflows, to take advantage of these new developments in automation. We will organize around re-designed work assignments, and we will continue to train OCJP employees to fulfill their new functions.

The non-profit evaluation and performance management contractor we are using, Performance Vistas, is continuing under its current contract to assist OCJP until June 2004. PVI works with OCJP staff, co-facilitating technical assistance sessions on performance measurement and evaluation among our targeted sub-recipients. OCJP is using the expertise of this outside evaluator with a participatory process for ongoing program management and continuous performance improvement. In addition to supplying OCJP with some of the data we need to evaluate the quality and outcomes of grant-funded activities, facilitated sessions can also help Byrne grant sub-recipients:

- Forge stronger community partnerships with allied agencies;
- Enhance their ability to gain public support and additional funding;

- Equip them with tools, data and experience they will need to manage their operations, improve their work processes, and demonstrate their accountability over the long term.

Summary

This evaluation plan – and the larger Strategy of which it is part – charts a course of continuous improvement that will strengthen OCJP’s strategic planning and program execution. Opportunities exist throughout the life cycle of OCJP’s strategic management process to improve the quality and efficiency of our evaluation system significantly. That is especially true for the beginning of the process, during future program development. It is during the pre-award stage of program development that we can accomplish the most important management objective for system improvements, namely the articulation of clear program priorities and measures of intended outcomes. Assistance with logic model development is now an accepted part of the application and award process in Tennessee. By linking the award with the evaluability of a project OCJP has created a situation in which Byrne grant sub-recipients *expect* to gather and report performance and outcome data.

In the first year of the upcoming Four-Year Strategy, Byrne funding and evaluation requirements will continue to provide us with the catalyst for building knowledge about what works. OCJP is committed to applying that knowledge over the long term for the benefit of Tennessee’s own criminal justice system. OCJP’s evaluation design and technical assistance sessions are actually making strategic planning happen in Tennessee.

The table on the following page (Figure 19) graphically summarizes OCJP’s planned program evaluation efforts for 2004 - 05.

Figure 19: OCJP's Byrne Program Evaluation Design

Program Title	# of Projects	Purpose Area	Evaluators	Intended Outcomes/ Goals	Evaluation Methodology
Multi-Jurisdictional Drug & Violent Crime Task Forces	29	2	OCJP, Self Evaluation	Minimize violent crime and the use, production, and transportation of illegal drugs via integration of federal, state, and local drug enforcement agencies and prosecutors.	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Correctional Treatment	14	11	OCJP, Self Evaluation	Reduce recidivism by treating adult and juvenile substance abusers	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Domestic/Family Violence Training Programs	2	18	OCJP	Educate community in the area of domestic & family violence, including abuse of children & the elderly.	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Community Crime Prevention	18	4	OCJP	Reduce the incidence of crime in the community by supplementing the local law enforcement with additional officers and equipment.	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Criminal Justice Information Systems	16	15B	OCJP, TBI, Self Evaluation	Equip, collect, & submit, criminal history records to the TBI on a timely and accurate basis.	Annual Self Evaluation Reports, TBI Statistics, On-site program & fiscal monitoring
Pre-Trial Service Delivery	18	10	OCJP	Expediting violent crime & drug cases by the use of attorneys specifically assigned to screen and prioritize adjudication efforts.	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Victim/Witness Program	2	14	OCJP (possibly an external evaluator before 2008)	Provide support and assistance to witnesses and jurors experiencing stress or needing protection or assurance.	Annual Self Evaluation Reports, On-site program & fiscal monitoring; Possible external program evaluation project '08.
Special Prosecution	7	10	OCJP	Expedite adjudication of violent crime and drug cases by facilitating the assignment of specialized prosecutors.	Annual Self Evaluation Reports, On-site program & fiscal monitoring
Total	106				

End Notes

ⁱ BJA Technical Assistance Workshop on Program Development, Evaluation and Reporting, August 16, 1999, Nashville, Tennessee. Conducted by Robert Kirchner, Ph.D. Based on "Linking Performance Measures to Policy and Strategy," 1999 Annual Conference on Criminal Justice Research and Evaluation, Kirchner & Venell, 7/99.

ⁱⁱ "Getting to the Bottom Line: Estimating the Comparative Costs and Benefits of Different Ways to Reduce Crime," A Presentation to the Florida Department of Juvenile Justice, Steven Aos, Washington State Institute for Public Policy. May 20, 1999. Drawn from The Comparative Costs and Benefits of Programs to Reduce Crime: A Review of the National Research Findings... May 1999.

ⁱⁱⁱ *Op cit.* Kirchner & Venell. Acceptable goals and objectives; links between objectives and activities, performance data reports, and acceptable performance. p2.

^{iv} Kirchner, Robert A., Marylinda Stawasy, Kellie J. Dressler, and Laura Parisi, Evaluation Desk Reference Manual Series, March 1999, Vol.1:" Orientation to Program Evaluation" Bureau of Justice Assistance, U.S. Department of Justice, p.34.

This program was supported by Grant # 2002-DB-BX-0047, awarded by the Bureau of Justice Assistance, Office of Justice Programs, U. S. Department of Justice Programs which also include the Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, and the Office of Victims of Crime. Points of view or opinions contained within this document are those of the author, and do not necessarily represent the official position or the policies of the U. S. Department of Justice.